

**Written Comments Received for  
December 12-13, 2011, Judicial Council Business Meeting**

<b>Name and Title</b>	<b>Affiliation</b>	<b>Topic</b>	<b>Date of Receipt</b>	<b>Pages</b>
1. Ms. Cindy Heitzman, Executive Director	California Preservation Foundation	Agenda Item 4, Court Facilities	12/8/11	2–5
2. Judge Steven E. Jahr (Ret.)	On his own behalf	Opposition to AB 1208	12/9/11	6–12
3. Julie M. Watts, Probate Examiner	Superior Court of California, County of San Joaquin	Agenda Item 1, Request of the Superior Court, County of San Joaquin for Supplemental Funding For Urgent Needs	12/9/11	13–65
4. Directors, Alliance of California Judges	Alliance of California Judges	Council position on AB 1208	12/9/11	66–87



December 8, 2011

**Submitted Electronically**

Judicial Council of California  
Attention: Nancy E. Spero  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
email: [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov)

**RE: ITEM 4: COURT FACILITIES: SENATE BILL 1407 COURTHOUSE PROJECTS, FY 2012–2013 UPDATE TO FIVE-YEAR PLAN, AND FUNDING FOR EXISTING FACILITIES**

Dear Chief Justice Cantil-Sakauye and Members of the Judicial Council,

On behalf of California Preservation Foundation (CPF), thank you for allowing us an opportunity to share our comments on the courthouse construction program. CPF is the only statewide nonprofit organization dedicated to the preservation of California's diverse cultural and architectural heritage. Established in 1977, CPF works with its extensive network to provide statewide leadership, advocacy and education to ensure the protection of California's diverse cultural heritage and historic places.

For a year, California Preservation Foundation has been tracking the courthouse projects throughout the state after concerns were raised in Nevada City regarding their historic courthouse project. Since then, CPF has commented on two Environmental Impact Reports that will have significant and unavoidable impacts to historic resources: Nevada County Courthouse and Los Angeles County Courthouse in Glendale. In October, CPF submitted a letter offering comments to the Court Facilities Working Group. The Working Group has recommended a number of actions including cancellation of two new courthouse construction projects, move forward with current phase for this fiscal year, a two-percent reduction in next fiscal year requests, and seek additional funding for maintenance for your consideration.

CPF believes that the highest and best use of California's historic courthouses is their historic uses and the AOC should comprehensively review how to maintain their continued use through compatible additions and additional structures. Currently, the AOC is completing environmental documents before the project architect is hired to address the feasibility of adaptively reusing historic courthouses and design additions or new courthouse, if needed.

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EXECUTIVE DIRECTOR  
*Cindy L. Heitzman*

Of the original 41 Courthouse projects being discussed, 27 of them involve courthouses over 50 years old and potentially eligible for the California Register of Historic Places. Of those 27, only seven involve the renovation or continued use by courts. The remaining 20 will be given back to the County, some with plans for reuse but many with no known plan for reuse. Due to the budget restrictions that have taken affect CPF recommends that the remaining courthouse construction funds should be spent to address the immediate safety and accessibility concerns with the existing facilities that do not need additional courtrooms and that funds should be spent on deferred maintenance of all courthouses rather than new construction.

### **Responsibility of the Courts**

According to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan Fiscal Year 2011–2012* Courthouses were prioritized based on their need and categorized as Immediate, Critical, High, Medium, and Low. Those categorized as Immediate or Critical were given priority based on issues with security, overcrowding, physical condition, and access to court services. While CPF agrees that these issues are significant and should be addressed in the capital outlays, we do not believe that the majority of these need new courthouses which is what is being proposed.

With the current budget cuts to the construction program, the Immediate and Critical courthouses should have their most pressing issues addressed. If the goal is first to provide a safe, secure, and accessible courthouse, those courthouses without the need for more courtrooms should be reassessed for how they can address the immediate concerns within their existing facilities. For example, the Nevada County Courthouse in Nevada City currently uses 35% or 24, 000 square feet of the 70,000 square foot facility; however a new 85,000 square foot facility is being proposed on the same site with the same number of courtrooms. The major issues with the existing facility are security, accessibility, and building conditions. All of these issues can be addressed within the existing facility for a fraction of the cost for new construction. The need for larger courtrooms based on the new guidelines has not been validated by actual use and is not as pressing of a concern.

Guidelines for courthouse and courtroom design are just that - guidelines. No two courthouses are the same anywhere in the state and they should not be treated that way. The guidelines are subject to constant revision. Some of these courthouses were designed in the 1800s, a lot of those were then replaced in the 1950s-1960s, and we are now replacing those. The courthouses being built this year may be too small or the guidelines may change in another 20 years requiring more courthouse replacements.

It is the court's environmental and fiscal responsibility to spend the money wisely on projects that truly need attention and not build new "landmarks" when the old courthouse is still functional.

### **Sustainability and Wastefulness**

In the *Frequently Asked Questions for Courthouse Construction Costs*, the AOC addresses the future stating "Sustainability and wastefulness: We're also building structures to last at least 50 years; 100 years with periodic renewal and ongoing upkeep." What it does not address is the sustainability and wastefulness of the present. The courthouses of the past were also designed to last, and many have lasted for over 100 years and continued to

function as courthouses. However, the Courts cannot continue to defer maintenance at hundreds of courthouses while new courthouses costing over \$500 a square foot are being constructed, especially when deferred maintenance has been the cause for many of the pressing concerns with many of these facilities. Without knowing when there will be additional funds for operations and maintenance, immediate concerns should be addressed first within the existing facilities. While this idea was considered by the Working Group, it was rejected because “their use would delay the implementation of the courthouse construction program.” CPF believes that many of the concerns with the courthouses in the construction program could be alleviated if rehabilitation of the existing courthouses was considered versus abandoning them and constructing new courthouses. What is wasteful and not sustainable is to continue to build new buildings that will leave existing buildings empty or subject to demolition. The use of existing facilities is environmentally sensitive and conserves energy. Demolition destroys valuable building materials that then fill our landfills and eliminates the energy and resources that were used to erect them. If our historic courthouses cannot continue to function as a courthouse, a plan should be developed and alternatives should be explored as part of these projects and should be included as part of the environmental review.

### **Your Decisions Impact Communities**

The choices made by the Judicial Council and the AOC have impacts on the communities where these courthouses are located. Many communities have housed the county courthouses for over 100 years and the current decisions being made regarding new courthouses has a direct impact economically and emotionally.

***What happens to these communities when local courthouses are vacated and new courthouses are constructed on the periphery or in the county?*** There is an economic and emotional impact to many of these communities if existing courthouses are vacated with no active plan for its reuse. Some buildings may find new uses others may fall into disrepair leaving an eyesore in a community to be later demolished. There is a lasting emotional impact that has not been forgotten after the historic county courthouse in Fresno was demolished in 1966 and replaced by a new courthouse which is now one of the 41 courthouses being renovated.

***What happens to all of the ancillary uses associated with a courthouse and located nearby?*** While some communities were fortunate to have vacant or underutilized land within the city limits or across the street from the existing courthouse, like in Yreka, many do not. Placerville and Nevada City are two communities that have strong economic ties to the county courthouse located in their communities with significant downtown office rentals for attorneys, vibrant restaurants and businesses supported by court-related activities. If these courthouses are relocated outside their city limits or business districts, there will be an impact to the communities' economic sustainability.

### **Conclusion**

With the number of courthouse replacement projects being proposed, CPF is concerned with the impacts to the historic resources and the historic communities they are located in. Attention must be paid first to the most pressing and immediate safety and accessibility concerns and the deferred maintenance on California's historic legacy. Many of these

communities want to work with the AOC to see their community landmark preserved, continue to function and support their local economy.

If you have any questions or comments, please contact Jennifer Gates, Field Services Director for the California Preservation Foundation at [jgates@californiapreservation.org](mailto:jgates@californiapreservation.org) or by phone at 415-495-0349 x 204.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Heitzman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Cindy Heitzman  
Executive Director

cc: Office of Historic Preservation

Steven E. Jahr, Judge, Retired  
PO Box 990428, Redding, CA 96099

December 9, 2011

Re: AB 1208 Proposal

Dear Chief Justice and Members of the Judicial Council:

Last Spring, a legislative effort was initiated by some judges which would have deprived the Judicial Council of its fundamental statutory role in trial court budgeting, not to mention its constitutional role as the rule-making body for the judicial branch.

AB 1208 was then justified by its supporters based upon allegations that the Judicial Council had ignored a requirement set out in the Lockyer-Isenberg Trial Court Funding Act of 1997 to promulgate rules of court which would ensure strong and independent local court financial management. Since I had been involved in the trial court funding reform process on behalf of the Judicial Council during those years, I was aware of the steps which had actually been taken and knew these allegations to be untrue. I sought to correct the record on that subject by my letter dated March 2, 2011, a copy of which is attached.

Now these judges have, according to their letter dated December 5, 2011, with enclosures, abandoned those allegations, redrafted their proposed statutory language, the May 18, 2011 version of which I have now read, and supported this effort with allegations of waste and inefficiency on the part of the Judicial Council and Administrative Office of the Courts in the management of trial court operations funding.

As for the redrafted statutory language, it accomplishes the same objective as the earlier version. It empowers a strategic minority of courts to gain control over the budgeting process, via an insurmountable veto power over budgeting initiatives by the council (GC 77202(b)(3)); an essentially static annually recurring pro rata distribution scheme (GC 77202(c); and a structure(GC 77202(b)(1)) enabling, indeed incentivizing, direct lobbying of the legislature by strategically aligned groups of powerful courts to favor as few as two courts at a time with special allocations, unlimited in number, dollar amounts, or defined purposes, to be withdrawn directly from the overall legislative appropriation for all the trial courts, BEFORE any of the remaining funds are disbursed to all the courts statewide.

The structure, if enacted into law, will not only sideline the rule-making body of the state's judicial branch, it will ensure the Balkanization of the branch, from which will emerge a few powerful courts, able by size and legislative constituencies to exercise enormous influence over annual court operations budgets for the entire

state. If one set out to create a scheme whereby the “rich get richer and the poor get poorer”, one could scarcely do better than this. But to do so would defeat the defining goals of our branch to provide equal access to quality justice for all Californians regardless of whether they happen to live in our most populous counties or places like Ventura or Contra Costa, let alone Stanislaus, Marin or my own county.

As for the present allegations offered by these judges, I will be the first to say I have no first hand information to offer. My involvement in budgeting matters took place in the 1990's, and a decade has gone by since I served on the Judicial Council myself. But I do know that as one of her first initiatives, our Chief Justice established a Strategic Evaluation Committee to assess the operations of the AOC, top to bottom, which will necessarily examine the assertions raised by these judges. Such an inventory and assessment is wholesome and it is due. Furthermore, the Chief Justice appointed retired Justice Arthur Scotland to chair that effort. The conclusions and recommendations reached by a committee so guided will be unflinching and they will be thorough. It is by those means that the present allegations can be addressed in a way that most benefits the public we serve.

The state funding of trial court operations reform was, and remains, a truly progressive legislative enactment by which equivalent access to justice for all citizens can be attained. The present efforts to dismantle that process, while ever-changing in the specifics, represent a reaction to the balanced governance of the judicial branch by a process which is designed to ensure that all trial courts, however situated, will receive the equivalent consideration that we, as judges, afford the litigants who appear in our courtrooms.

I respectfully urge you firmly to oppose AB 1208. Thank you for your consideration.

Sincerely,

Steven E. Jahr

IN CHAMBERS

RECEIVED

MAR 8 2011

MARY M. ROBERTS

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SHASTA

STEVEN E. JAHR, JUDGE, RETIRED

P.O. Box 990428  
Redding, CA 96099

MS ROBERTS -  
THE HARD COPY  
OF THE LETTER  
I SENT TO COURT  
LEADERS -  
STEVE JAHR

March 2, 2011

Dear Colleagues:

I write to shed light on a topic I know something about, having served as chair of a judicial branch working group—the AB 233 Working Group<sup>1</sup>—that addressed the topic: the so-called Trial Courts Bill of Financial Management Rights. For those unfamiliar with the history of trial court funding in California, AB 233 was the bill that became the Lockyer-Isenberg Trial Court Funding Act of 1997, reflecting almost 30 years' effort by the judicial branch to achieve the goal of full state funding of the trial courts.

It's helpful to understand the legislative process that resulted in AB 233 and how the “bill of rights” issue arose. Here is a summary:

- A “spot bill” containing only the name of the bill was first introduced as a placeholder. This “spot bill” was AB 2553, introduced in February 1996.
- “Intent” language was worked on by the bill’s author, courts, and counties to guide the drafting of the statutes that would become the legislation. “Intent” language was introduced in April 1996.

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<sup>1</sup> A review of the roster of the AB 233 Working Group is a trip down memory lane, as most members have since retired from the bench, including me: Judges Victor Chavez and Ray Hart of Los Angeles, Dennis Cole of San Bernardino, Sandra Faithfull of Santa Clara, William Howatt of San Diego, Dwayne Keyes of Fresno, Arthur Wallace of Kern, and Edward Webster of Riverside. And two working group members—Judges Kathleen O’Leary of Orange and Patricia Sepulveda of Contra Costa—have long since moved to higher office. Court executives were also on the working group and several are still in service to the branch, although in different positions: Alan Carlson (San Francisco), Sheila Gonzalez (now Calabro) (Ventura), Ron Overholt (Alameda), Chris Patton (Santa Cruz), and Mike Roddy (Sacramento). Fritz Ohlrich, now Clerk of the Supreme Court, was Court Administrator of the Los Angeles Municipal Court when he served on the working group.



- The last statement of intent was to “acknowledge the need for strong and independent local court financial management, including encouraging the adoption by the Judicial Council of a Trial Courts Bill of Financial Management Rights.”
- The trial court legislation was then drafted by a group that included, again, the courts<sup>2</sup> and counties, but also the Department of Finance in addition to legislative staff and staff from the Legislative Analyst’s Office. The issues identified in the “intent” language were addressed in statute, with more specificity.
- The “bill of financial management rights” issue was addressed in section 77001, which required the Judicial Council to adopt rules of court to “establish a decentralized system of trial court management” that would ensure local authority and responsibility of trial courts to manage day-to-day court operations.
- AB 2553 failed on the last day of the 1995-1996 legislative session, and was reintroduced as AB 233—the Lockyer-Isenberg Trial Court Funding Act of 1997—in the next session.
- AB 233 was signed into law in October 1997, effective January 1, 1998.
- The AB 233 Working Group worked on drafting rules of court consistent with the statutory directive of section 77001.
- The Judicial Council adopted rules of court effective July 1, 1998.

The statute itself (section 77001) took the notion of “strong and independent local court financial management” from the intent language and specified the areas over which trial courts had authority and management responsibility. Section 77001 as enacted read as follows:

On or before July 1, 1998, the Judicial Council shall promulgate rules which establish a decentralized system of trial court management. These rules shall ensure:

- (a) Local authority and responsibility of trial courts to manage day-to-day operations.
- (b) Countywide administration of the trial courts.
- (c) The authority and responsibility of trial courts to manage all of the following, consistent with statute, rules of court, and standards of judicial administration:
  - (1) Annual allocation of funding, including the authority to move funding between functions or line items.
  - (2) Local personnel systems, including the promulgation of personnel policies.
  - (3) Processes and procedures to improve court operations and responsiveness to the public.
  - (4) The trial courts of each county shall establish the means of selecting presiding judges, assistant presiding judges, executive officers or court administrators, clerks of court, and jury commissioners.
- (d) Trial court input into the Judicial Council budget process.

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<sup>2</sup> I also served as chair of the Task Force on Trial Court Funding formed in 1996 at the instance of then Chief Justice Lucas to develop consensus within the judicial branch and to work with representatives of the executive and legislative branches and the counties to create a full state funding mechanism for trial court operations.

- (e) Equal access to justice throughout California utilizing standard practices and procedures whenever feasible.

As a trial court judge I knew local control was a subject near and dear to the hearts of trial court judges. The working group's focus was on drafting rules for Judicial Council consideration that met the requirements of section 77001, and to place those rules within a larger, overarching framework that established the responsibilities of the Judicial Council and the Administrative Office of the Courts for fiscal matters as set forth in other statutes enacted as part of AB 233.

The working group approached its task diligently. Rules were drafted, extensive comments were received, and a report was submitted to the Judicial Council in June 1998 that recommended adoption of proposed new rules that would be a part of a new title in the California Rules of Court on judicial administration. The proposed rules covered all of the topics required by AB 233. As the June 1998 report to the council explained:

The rules were drafted in response to the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233), which requires the Judicial Council to adopt rules that (1) "establish a decentralized system of trial court management" by July 1, 1998 (Gov. Code, § 77001); (2) govern "practices and procedures for budgeting in the trial courts in a manner that best ensures the ability of the courts to carry out their functions" (Gov. Code, § 77202 (b)); and (3) relate to "budget submission, budget management, and reporting of revenues and expenditures by each court" (Gov. Code, § 77206(a)).

The Judicial Council adopted the proposed new rules effective July 1, 1998, meeting the deadline stated in section 77001 for adoption of rules establishing a decentralized system of trial court management. That specific topic was addressed in several proposed rules, among them rule 2501, which read as follows:

TITLE SIX. JUDICIAL ADMINISTRATION RULES

\* \* \*

DIVISION IV. TRIAL COURT ADMINISTRATION

CHAPTER 1. GENERAL RULES ON TRIAL COURT MANAGEMENT

Rule 2501. Trial court management

- (a) **[Purpose and intent]** The purpose of the rules in this division is to establish a system of trial court management that:
  - (1) Promotes equal access to the courts;
  - (2) Establishes decentralized management of trial court resources; and

- (3) Enables the trial courts to operate in an efficient, effective, and accountable manner in serving the people of California.
- (b) **[Goals]** These rules are intended to ensure the authority and responsibility of the trial courts in each county to do the following, consistent with statutes, rules of court, and standards of judicial administration:
- (1) Manage their day-to-day operations with sufficient flexibility to meet the needs of those served by the courts;
  - (2) Establish the means of selecting presiding judges, assistant presiding judges, executive officers or court administrators, clerks of the court, and jury commissioners;
  - (3) Manage their personnel systems, including the adoption of personnel policies;
  - (4) Manage their budget and fiscal operations, including allocating funding and moving funding between functions or line items;
  - (5) Provide input to the Judicial Council, the Trial Court Budget Commission, and the Administrative Office of the Courts on the trial court budget process; and
  - (6) Develop and implement processes and procedures to improve court operations and responsiveness to the public.
- (c) **[Decentralized management]** “Decentralized management” as used herein refers to the administration of the trial courts on a countywide basis, unless an alternative structure has been approved by the Judicial Council, consistent with applicable statutes, rules, and standards of judicial administration.

In addition, concerning financial matters, rule 2530 confirmed local (though on a countywide basis) responsibility of the trial courts for financial management and budget procedures, including expenditure management authority to distribute funding, once received, along with the discretion to redistribute funding as a budget year unfolded.

Rule 2501 has been amended several times since its adoption in 1998. The amendments have replaced the Trial Court Budget Commission<sup>3</sup> with the Judicial Branch Budget Advisory Committee, which in turn was replaced by the Trial Court Budget Working Group, renumbered the rule (now rule 10.601), and made minor nonsubstantive changes. The substantive rule provisions, however, remain virtually unchanged since their adoption.

Why is this history relevant now? Although retired from the bench, I am aware that some judges have asserted that the Judicial Council failed to do what the Legislature intended because the

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<sup>3</sup> The Trial Court Budget Commission, on which I served from its inception and which I chaired from 1997 to 1998, was established by the Judicial Council in 1992 to review and make recommendations to the council for approval of trial court budgets for submission to the Legislature and allocation of state funds to the trial courts. The commission was replaced by the Judicial Branch Budget Advisory Committee in 2002, which was replaced by the Trial Court Budget Working Group in 2007.

council did not adopt a “trial courts bill of rights.” As one (of many) who was actively involved in implementing the legislative intent as expressed in the statutes enacted under AB 233, I can say with confidence that those assertions miss the point. The Legislature’s stated intent was to “acknowledge the need for strong and independent local court financial management,” which it did by enacting section 77001. While the Legislature did not codify the words “trial court bill of rights” in section 77001, it did within that section direct the Judicial Council to adopt rules that “establish a decentralized system of trial court management.” The council did so, aided by the hard work of the AB 233 Working Group and by the AOC staff who ably assisted the group. Those rules continue to provide for decentralized management of trial court resources, entirely consistent with statute and with the statement of legislative intent.

Each of us is entitled to our own opinion, and I have no quarrel with those whose opinions may differ from mine. But we are not entitled to our own facts. And it is simply inaccurate to blame the Judicial Council for failing to do what it was *not* charged with doing, especially in light of the fact—not opinion—that the council did as it *was* charged. I hope this letter helps set the record straight.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven E. Jahr', with a long horizontal flourish extending to the right.

Steven E. Jahr  
Judge (retired)

**JULIE M. WATTS**  
Probate Examiner  
San Joaquin Superior Court  
222 E. Weber Ave.  
Stockton, CA 95202  
Telephone: (209) 468-9895

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

I am the sole Probate Examiner for San Joaquin Superior Court. I have served as a public servant in this capacity for four and a half years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

San Joaquin Superior Court's staff continues to process more files and paperwork than most in the State. This is due to the dedicated staff we have. The local Bar and surrounding area litigators as well as the State's Appellate Department continually recognize our staff for their hard work, professional and courteous manner in which they serve the public. And yet, we remain the MOST UNDERFUNDED court in the State.

I am aware that everyone is suffering from the State's poor economic position. It is beyond my ability to comprehend how the Judicial Council and AOC can approve a business plan that does not treat all courts equal. It is my understanding that the formation of the AOC and implementation of the merger of all California Courts approximately 12 years ago was done in an effort to create uniformity. This quite obviously has not been done. It is time to fix this problem and bring all of California Courts into a more level playing field. This is a time for everyone to come together and help each other. United we stand, divided we fall.

If this request is denied, it will result in a loss of an additional 17 positions for our Court. These "emergency funds" will carry our Court through the end of this fiscal year, status quo. As you are aware, as a result of the last budget cuts inflicted on our court, the Tracy and Lodi Civil Courts have been closed and over 40 staffers have been laid off. Any additional losses will result in less access to the Courts by the public, a right afford to all of us by the Constitution.

Reducing court services in San Joaquin County is harmful and unnecessary. I implore you to approve the \$2 million request.

Kind regards,

A handwritten signature in black ink, appearing to read 'Julie M. Watts', written in a cursive style.

JULIE M. WATTS  
Probate Examiner

**LISA M. FUGAZI  
1132 BRIGHTON WAY  
LODI, CALIFORNIA 95242**

December 9, 2011

Honorable Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Re: Emergency Funding for San Joaquin County Superior Court

Dear Chief Justice Cantil-Sakauye:

My name is Lisa Fugazi and I have been employed as a Research Attorney for the San Joaquin County Superior Court for the past three and one-half years.

I am writing in support of **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions within our Court (over 45 positions have already been terminated within the last 90 days). San Joaquin County Superior Court is currently staffed with approximately 260 employees, even though it should be staffed with 450 employees based upon the Resource Allocation Study. This reduction in staff further limits access to justice for San Joaquin County residents. It would be nothing short of harmful to the families, children, and crime victims who depend upon access to our Court for justice.

In addition, California businesses and our economy cannot handle the higher business risks that are associated with reduced access to courts, civil court closures, and longer waiting times before cases are heard and resolved.

The repercussions of not receiving the \$2 million of emergency funding will be as follows:

1. Further reduction in Court staff. The civil division staff will be cut by more than one-half and the small claims division will be completely eliminated.
2. The Court will implement further court closures. The Court has already had to implement court closures based upon the funding received to date. The branch court in Tracy once served 200,000 South County residents, who now have to drive as much as 40 miles to the Stockton branch for their civil,

Honorable Tani Cantil-Sakauye, Chief Justice, Chair  
December 9, 2011  
Page 2

Re: Emergency Funding for San Joaquin County Superior Court

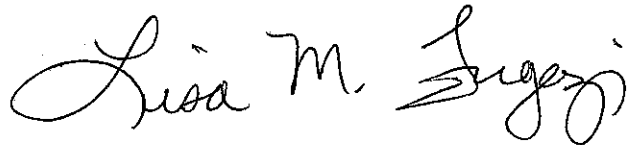
small claims, traffic, and domestic violence restraining orders proceedings. The same holds true for the courtroom closure at the Lodi branch, which serves approximately 62,000 residents.

3. The public will suffer from more delays for access to justice. Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases the stress level of both the staff and Court customers. People have had to wait in line for as long as one hour for services.

Reducing Court services in San Joaquin County is harmful and unnecessary. I strongly urge you to approve the \$2 million request.

Thank you for your time and consideration.

Very truly yours,



LISA M. FUGAZI

/lmf



Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Loretta Parsons and I have served as a legal processing for the Superior Court of San Joaquin County for 8 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

The civil staff has already been drastically cut almost in half resulting in longer lines and longer processing times, which is difficult for any collection case but I feel it especially affects the Unlawful Detainer customers. Many of these are individual home owners who have 1 or maybe 2 rental properties. If they need to evict their tenants in order to get someone in there who can pay the rent, this needs to get done quickly. If we're not able to process these cases in a timely manner, many may stand to lose that rental property to foreclosure if they count on that rental income to make the mortgage payment.

With the closure of the Tracy Branch, so many customers now need to travel much further to either the Tracy or Stockton branches file their papers with the court or for court appearances. When I was a clerk in the Tracy Branch and we had to refer people up to Stockton for clinics, etc., we had customers frequently state they weren't able to get up there because of no money for gas, no transportation, etc. This concerns me especially for those civil harassments where someone may really need to file but is unable to get to court and issues could escalate and become serious safety issues.

With the increased stress of lines and people calling to see if their paperwork is done takes time away in which the clerks could actually be processing the work. We have people who call daily or even 2-3 times a day to see if their case completed yet.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Member name Loretta Parsons

Address: 2035 Lugano Ct., Manteca, CA 95336

12/9/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Tamara L Clark and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 12 ½ years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

The civil division staff will be cut more than ½ and the small claims division will be eliminated. The court has already had to implement court closures. The branch court in Tracy, that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

The family law division staff is already at minimal staff. We have operated at this level for quite some time. After this past budget cut, our staffing was drastically reduced. At this time, the staff cannot keep up with the volume of work that comes in daily. This causes a hardship for customers waiting for their wage assignments, judgments, and custodial orders. We are seeing more custodial issues as parties have quite a wait to receive their orders. This also is impacting law enforcement who is receiving calls regarding these disputes. This furthers the impact our customer's ability to survive pending their awards of spousal and child support. It also impedes those who are trying to save their family residences. They cannot complete their refinance without the judgment of dissolution. Without the ability to effectively process our work, we believe that their may be an even higher workload as parties will continue to fight over family law issues. Family support staff has been cut drastically. The staff at the courthouse cannot keep up with the volume of work in its current staffing level. It is imperative that this department

enter work on a timely matter to comply with Federal Law. Our Court may be fined for non-compliance. Our Court cannot afford this. We need staff to ensure that the Family Support division complies with all Federal requirements.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Tamara L Clark  
4112 Black Butte Circle  
Stockton, CA 95209

12-9-2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Tracy Merritt and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 5 years this February.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

- The civil division staff will be cut more than ½ and the small claims division will be eliminated.
- The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.
- Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.
- The family law division staff is already at minimal staff. We have operated at this level for quite some time. After this past budget cut, our staffing was drastically reduced. At this time, the staff cannot keep up with the volume of work that comes in daily. This causes a hardship for

customers waiting for their wage assignments, judgments, and custodial orders. We are seeing more custodial issues as parties have quite a wait to receive their orders. This also is impacting law enforcement who is receiving calls regarding these disputes. This furthers the impact our customer's ability to survive pending their awards of spousal and child support. It also impedes those who are trying to save their family residences. They cannot complete their refinance without the judgment of dissolution. Without the ability to effectively process our work, we believe that there may be an even higher workload as parties will continue to fight over family law issues.

- Family support staff has been cut drastically. The staff at the courthouse cannot keep up with the volume of work in its current staffing level. It is imperative that this department enter work on a timely manner to comply with Federal Law. Our court may be fined for non-compliance. Our court cannot afford this. We need staff to ensure that the Family Support division complies with all Federal requirements.

Sincerely,

Member name Tracy Merritt  
Address 2162 Jersey Avenue Stockton Ca.95205

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye

My name is Delfina Brasil and I have served as a legal process clerk for the Superior Court of San Joaquin County for 15 years.

I am writing in support of the Discussion Agenda Item I - Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to the legal process for their legal matters.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with the reduction to access to the courts, civil courts, the closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Delfina Brasil  
116 North Fremont Av  
Manteca CA 95336

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Ruth Gunn and I have served as a Deputy Clerk for the Superior Court of San Joaquin County for the last 8 years. It is with great hope that I write this letter to you today.

I am writing in support of **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

On October 31, 2011 our court who is one of the most underfunded in the state, lost a total of 46 employees due to budget cuts on the judicial branch. Now, if this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The community has already felt the effects of these losses that have caused longer lines, delay in services, backlogs and the closure of outlining courts in our county. I ask you how we can provide a fair judicial system to the people in our community when we don't even have the resources available to assist them.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Now, if this funding is not approved, we face not only an additional reduction in our workforce but also the possibility of entire department closures, such as civil, probate and small claims. The justice system in our county would be crippled in an unimaginable way. Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Ruth Gunn  
LPC III  
Civil Division  
Superior Court of San Joaquin County



December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Rosemary Hernandez and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 10 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

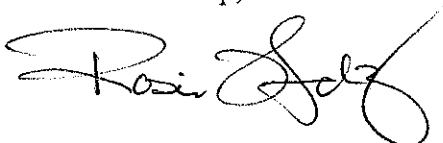
In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Rosemary Hernandez  
9999 s. lockhart Rd

French camp, ca 95231

A handwritten signature in black ink, appearing to read "Rosemary Hernandez", written in a cursive style.

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Deborah Turner and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 4 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Deborah Turner

303 W. Flora Street

Stockton, CA 95203

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Pamela Edwards and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 15 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Pamela Edwards  
1037 N. Monroe St.  
Stockton, Ca. 95203

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Jacqueline Escalante and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 6 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

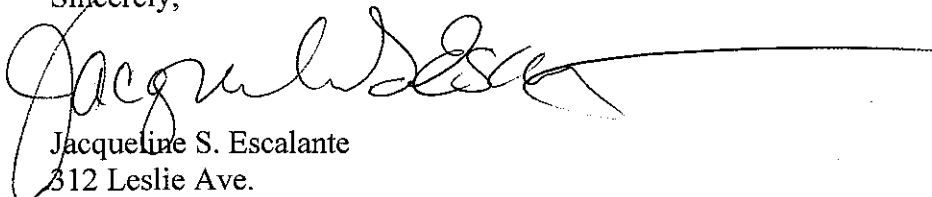
If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Jacqueline S. Escalante  
312 Leslie Ave.  
Stockton, Ca. 95207

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Alice Castillo and I have served as a Legal process clerk III for the Superior Court of San Joaquin County for 10 years.


I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,  
  
Alice Castillo  
8803 Deer Creek Circle  
Stockton, CA 95210

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Christine Alverson and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 33 years.


I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,  
  
Christine Alverson  
7118 Emeryn St.  
Stockton, Ca. 95207

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Jamie Casner and I have served as a Legal process clerk for the Superior Court of San Joaquin County for 14 1/2 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than 1/2 and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Jamie Casner  
2075 Christina Ave.  
Stockton, Ca. 95204

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Linh Nguyen and I have served as a Legal process clerk III for the Superior Court of San Joaquin County for 11 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

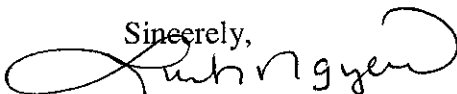
If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Linh Nguyen  
6666 Everest Av  
Stockton, Ca. 95210



December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Georgette Hutchings and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

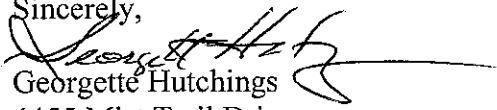
If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

  
Georgette Hutchings  
4455 Mist Trail Drive  
Stockton, CA 95206

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Dani Jeitz and I have served as a Fiscal Services Tech II for the Superior Court of San Joaquin County for less than a year and as a Legal Process Clerk II for 2 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

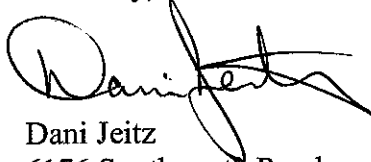
The San Joaquin County Court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents is now closed. Those residents now have to drive as much as 40 miles to the Stockton branch for services. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Dani Jeitz  
6176 Southworth Road  
Valley Springs, CA 95252

December 9, 2011

Hon Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Miltonetta Atwater and I have served as a Courtroom Clerk for the Superior Court of San Joaquin County for 28 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will ultimately result in a loss of additional positions further limiting San Joaquin County resident's access to justice that they are entitled. It would be nothing short of harmful to the families, children and crime victims who depend on this court for justice to be implemented.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Our civil division staff will be cut more than ½ and the small claims division will be eliminated.

The court has already had to implement court closures in Tracy and Lodi.

There are longer lines and increased phone calls because of court closures and layoffs.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request that this court needs in order to adequately function to serve the needs of this county.

Sincerely,



Miltonetta Atwater  
318 Ravenwood Wy  
Lodi, CA 95240

Date: 12/09/2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Dominic E. Willis and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for five years.

**I am writing in support of, Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

The civil division staff will be cut more than ½ and the small claims division will be eliminated. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely, Dominic E. Willis

Dominic E. Willis  
4143 N. Pershing Avenue  
Stockton, Ca. 95207

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Bernadette Flores and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

The civil division staff will be cut more than ½ and the small claims division will be eliminated. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive to the next town which is Manteca or 40 miles to the Stockton branch for public services on criminal civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff by providing adequate public service for **OUR** county of San Joaquin. If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to our communities, families, children and crime victims who depend on the access to our courts for justice.

How bad is it? You know it's bad when you have to go through the recycling paper to find clean paper for the copy machine and the paper that isn't clean is being recycled for scratch paper; being we cannot order post its.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

The Citizens of San Joaquin County, the employees of San Joaquin County Superior Court **NEED YOUR HELP!** I urge you to please reconsider and approve the \$2 million request.

Sincerely,

Bernadette Flores  
390 Scenic Place  
Manteca, CA 95337

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Enedina Lisitsin and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 17 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the communities, families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Enedina Lisitsin  
3343 Anne Street  
Stockton, Ca. 95206

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Ashley Pane and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. Furthermore:

- The civil division staff will be cut more than ½ and the small claims division will be eliminated.
- The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.
- Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Ashley Pane  
222 E Weber Ave Room 100  
Stockton, CA 95202

Date: 12/9/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Sarah Dickerson and I have served as a LEGAL PROCESS CLERK for the Superior Court of San Joaquin County for 11 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

The civil division staff will be cut more than ½ and the small claims division will be eliminated.

The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Sincerely,

Member Name

Address 222 E Weber Ave



12/9/11



Date: 12/9/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is MARGIE VALDEZ and I have served as a LEGAL PROCESS CLERK for the Superior Court of San Joaquin County for 6 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

The civil division staff will be cut more than ½ and the small claims division will be eliminated.

The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Sincerely,  
Member Name  
Address 222 E Weber Ave

*Margie Valdez*

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Dana Patterson and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. Furthermore:

- The civil division staff will be cut more than ½ and the small claims division will be eliminated.
- The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.
- Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

  
Dana Patterson

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Steven Lowery and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 10 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

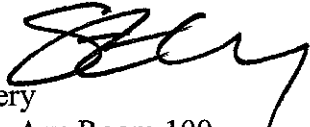
If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. Furthermore:

- The civil division staff will be cut more than ½ and the small claims division will be eliminated.
- The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.
- Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

  
Steven Lowery  
222 E Weber Ave Room 100  
Stockton, CA 95202

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Fe Asis and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 13 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. Furthermore:

- The civil division staff will be cut more than ½ and the small claims division will be eliminated.
- The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.
- Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Fe Asis  
222 E Weber Ave Room 100  
Stockton, CA 95202

Date: 12/9/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Rebecca Garrett and I have served as a LEGAL PROCESS CLERK for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

The civil division staff will be cut more than ½ and the small claims division will be eliminated.

The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Sincerely,

Member Name *Rebecca Garrett*  
Address 222 E Weber Ave

Date: 12/09/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is ANDREA NUANES and I have served as a Legal Process Clerk III  
for the Superior Court of San Joaquin County for 20 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds  
Allocation: Request of the Superior Court of San Joaquin County for Supplemental  
Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Member name ANDREA NUANES  
Address 3067 S PHELPS ST - STKTN CA 95206

Friday, December 09, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Jennifer McMahan and I have served as a research attorney for the Superior Court of San Joaquin County for 4 1/2 years.

I am writing in support of **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

This year, our court has already had to implement court closures. The Tracy court branch has closed. This branch served 200,000 south county residents. These residents now have to drive as far as 40 miles to the Stockton branch to have access to the courts. The same holds true for the courtroom closure in Lodi, which serves approximately 62,000 residents.

Our court was also forced to layoff nearly 50 staff members. According to the Judicial Council's Resource Allocation Study, the San Joaquin County Superior Court should have 450 staff members based on workload. We are now operating with around 250-260 employees, with potentially more layoffs to come in 2012.

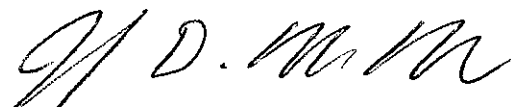
Court closures and layoffs have impacted the residents of San Joaquin County and the court's staff. Residents have been forced to wait on the phone and in line for an exorbitant amount of time just for court services. The increased phone calls and longer lines has increased the stress level of staff and court customers.

If the above request is denied, it will result in a loss of an additional 17 court positions, further limiting San Joaquin County resident's access to justice. This would be nothing short of harmful to the families, children, and crime victims who depend on access to our courts for justice.

In addition, the court is also facing cutting the civil division staff by more than 1/2 and the small claims division will be eliminated completely. California businesses and our economy cannot handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures, and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Jennifer D. McMahan  
3649 Grand Point Ln.  
Elk Grove, CA 95758

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Ramona V. Rodrigues and I have served as a Judicial Secretary and Legal Process Clerk III for the Superior Court of San Joaquin County for 14 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The civil division staff will be cut more than ½ and the small claims division will be eliminated.


The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

  
Ramona V. Rodrigues  
1913 Arrowsmith Drive  
Manteca, CA 95336



December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Gayle Elledge and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 10 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. The civil and probate division staff will be cut more than half and the small claims division will be eliminated.

It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The community will be affected by being unable to resolve estates and trusts in the Probate Division.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved. Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Gayle Elledge

23423 N Pearl Rd. Acampo, Ca 95220

December 8, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Lisa Queirolo and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 13 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved. Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Lisa Queirolo

December 8, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Kathryn Marie Valone and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 17 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved. Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Kathryn Marie Valone  
1417 Goldenleaf Way, Stockton Ca 95209-2014

Date: 12/08/11

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Jennifer Boccia and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

On a selfish note, if we do not receive this funding I am in danger of being laid-off. Which will then leave me in danger of losing my livelihood and my home. I cannot afford to be unemployed. It will destroy my family.

I also believe that if the criminal community sees our justice system failing – there can only be an influx of more crime. With no courts to serve them.

Our staff is completely overworked as it is with the recent lay-offs. To have another round of lay-offs would not only harm the remaining workers but our community. We are behind in everything and are continually have to explain to the customers why we are unable to help them. They come in here and expect service and cannot get it. It is **embarrassing**.

We have Court Room Clerks that are doing the jobs of Legal Process Clerks. While being in court all day they are then entering their own continuances, issuing their own warrants, doing custody calendars and entering citations.

We have to let work sit and get backed up because most of the time we have to work on what is needed right now and try and decipher what is not a priority. It is an absolute shame to me that it seems okay to not allow the community the service that they deserve.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Jennifer Boccia  
San Joaquin County Superior Court – Manteca Branch

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Jenny Rodriguez and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for 4 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Member name Jenny Rodriguez  
Address Po Box 1501 Lodi, 95241

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Theresa Carleton and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for five years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**


If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

In my opinion this will destroy downtown Stockton. The only thing that will be left is the criminal aspect of the community. The business and restaurants in downtown Stockton will no doubt suffer as a result of the Court closure.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

  
Member name Theresa Carleton  
Address: 1328 Chaparral Way  
Stockton CA 95209

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Elizabeth Clow and I am currently a Courtroom Clerk for the Superior Court of San Joaquin County and have served for a total of 17 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. We have already lost 45 very much needed hard working men and women.

The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi, which serves approximately 62,000 residents.

The civil division staff will be cut more than ½ and the small claims division will be eliminated. Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy cannot handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

**Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.**

Sincerely,

Elizabeth Clow  
1779 Foothill Vista Drive  
Tracy, CA 95377

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Sonya Farnsworth and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 13 ½ years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

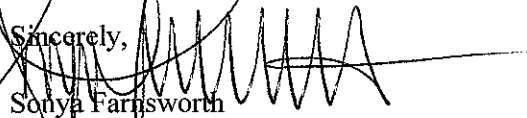
Your denial of this request will result in a loss of an additional 17 positions further limiting San Joaquin County residents' access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. Further reduction in courtrooms and hours of service will particularly harm children, the elderly, crime victims and families, in short, the most vulnerable in society. This will be catastrophic to a community who can no longer seek resolution.

Our court has already had to implement court closures. Residents of South County have lost the branch court in Tracy that once served 200,000 south county residents. They now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. Court closures and layoffs resulted in increased phone calls with longer on-hold waits and longer in-line waits by customers. Customers who have taken off work early to resolve traffic tickets are turned away after 3:00 p.m., understandably frustrated. Front desk staff have served clients who have waited a hour or more in line for service.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved. These cuts have been detrimental to the public who have suffered limited access to resources to resolve their pending legal matters. If our court is further cut funding we will be doing a disservice to the Community. Court closures and cutbacks result in higher business costs and uncertainty to local businesses already severely impacted by the recession. The inability to timely and expeditiously resolve business disputes slows necessary business development and contributes to persistently higher rates of unemployment in San Joaquin County.

For all of the above reasons, we urge the Judicial Council to approve our court's \$2 million funding request. Thank you for your consideration of our request.

Sincerely,



Sonya Farnsworth  
1249 Stratford Circle #47  
Stockton, Ca 95207



December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Grant Preeo and I have served as a Legal Process Clerk for the Superior Court of San Joaquin County for ten years.

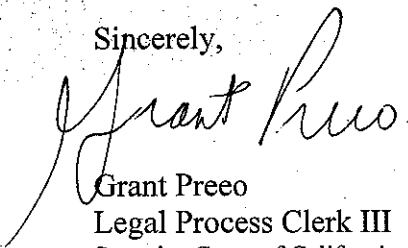
I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The civil division staff will be cut more than ½ and the small claims division will be eliminated. Court closures and layoffs have already impacted the remaining staff with increased phone calls and longer lines. Watching people stand in line and waiting for long periods of time increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Grant Preeo  
Legal Process Clerk III  
Superior Court of California,  
County of San Joaquin  
222 E. Weber Ave., Rm. 303  
Stockton, CA 95202

Date: December 09, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Polly Khieu and I have served as a Legal Processing Clerk II for the Superior Court of San Joaquin County for 4 ½ years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

The civil division staff will be cut more than ½ and the small claims division will be eliminated.

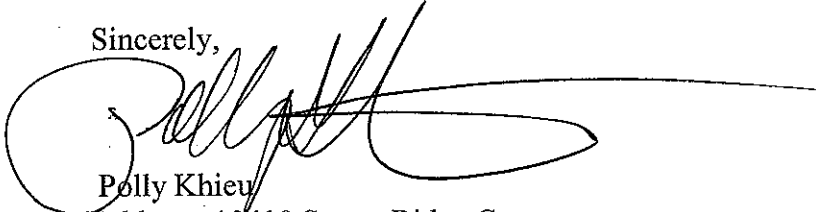
The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Polly Khieu  
Address: 10410 Sunny Ridge Court  
Stockton CA 95209

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Deldriene Arellano and I have served as a Legal Process Clerk III for the Superior Court of San Joaquin County for 11 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

I understand that the State of California is going through an unprecedented financial crisis and each and every State agency has been negatively affected and will continue to be affected by it for years to come.

However, if this request is denied, it will result in a loss of an additional 17 positions further limiting access to our Court for the local residents of San Joaquin County. This will cause much more chaos and frustration for our public as many people are already emotionally distressed having to deal with their own legal problems.

Despite the last round of layoffs, I can proudly say my very dedicated-to- their-job- co-workers have continued to uphold their professionalism despite being stressed daily trying to keep up with the volume of work and helping our public, who have for the most part, been as patient as humanly possible.

I can sit here and write about all the negative impacts, like longer lines, piles of unprocessed work, frustrated public, etc., but I ask you to please consider our request for the supplemental funding. If necessary, I encourage you and the Panel to visit our Courthouses in San Joaquin County before a decision is made regarding our future as an upholding leg of our local Government.

Thank you for your time.

Sincerely,



Deldriene G. Arellano  
1690 Hometown Ln.  
Manteca, CA 95337  
(209) 468-9572

James Daire  
3017 White Oak Way  
Lodi, California 95242

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

I am a Research Attorney for the Superior Court of San Joaquin County. I also grew up in this County and I have seen first hand the effects of recent cuts and court closures on our community.

I am writing in support of **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in an immediate loss of 17 additional positions – on top of the dozens of positions the Court has already eliminated and the numerous cost-cutting measures the Court has already implemented this year. This will inflict still more harm on the families, children, and crime victims who depend on our courts for justice.

On the civil side, our County's businesses and aggrieved individuals must already deal with reduced access to courts, civil court closures, and longer waiting times before cases are heard and resolved. If the request is denied, the civil division staff will be cut in half and the small claims division will be eliminated.

This year, the Court has already taken the following steps:

- Closure of the Tracy courthouse (which once served 200,000 county residents);
- The elimination of approximately 90% of small claims hearings, which I believe violates Code of Civil Procedure section 116.330 and exposes the Court to substantial liability; and
- Closure of Lodi courtrooms (which served approximately 62,000 county residents).

The Court implemented these difficult cost-saving measures even though it was and is a historically underresourced court, regardless of what Resource Allocation Study methodology applies. I implore the Judicial Council to prioritize the public by approving our Court's supplemental funding request.

Regards,



James Daire

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Belinda Bustos and I have served as a Judicial Secretary for the Superior Court of San Joaquin County for 23 years.

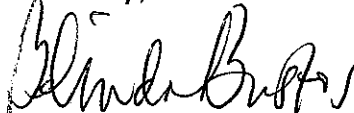
I am writing in support of Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.

Please consider the devastating effect if this request is denied. It would result with eliminating an additional 17 positions which would further impact this court because of our prior layoffs in San Joaquin County. It is nothing short of harmful to the families, children, and crime victims who depend on the access to our courts for justice. We have already had to implement total court closure with the Tracy branch and a courtroom closure from the Lodi branch.

In addition, it is very difficult for California businesses and our economy to try to handle the higher cost of doing business. There are higher business risks that are associated with reduced access to courts, civil court closures, and longer waiting times before cases are heard and resolved. If the small claims division is eliminated and more than half the civil division staff cut, the outcome will be overwhelming.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,



Belinda Bustos  
3124 Bonnie Lane  
Stockton, CA 95204

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Felicia Martinez and I have served as a Legal process clerk for the Superior Court of San Joaquin County for almost 5 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice. The court has already had to implement court closures. The branch court in Tracy that once served 200,000 south county residents, now have to drive as much as 40 miles to the Stockton branch for service on their civil, small claims, traffic and domestic violence restraining orders. The same holds true for the courtroom closure in Lodi which serves approximately 62,000 residents. The civil division staff will be cut more than ½ and the small claims division will be eliminated.

Court closures and layoffs have impacted the staff with increased phone calls and longer lines. Watching people stand in line and waiting longer increases both the stress level of staff and court customers. We have seen people wait in line as long as 1 hour for services. Many are fearful that a further reduction or altogether elimination of services may cause people to take matters into their own hands because they feel the judicial system has failed them, which most access through the court. The end result would be an increase in crime which is already an issue in the community.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Felicia Martinez  
3724 San Rafael  
Stockton, Ca. 95204

December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

I am writing in support of **Discussion Agenda Item I – San Joaquin County Superior Court's Request for Supplemental Funding for Urgent Needs**. I am one of San Joaquin County Superior Court's research attorneys.

I urge you to grant our court's request for additional funding. The Judicial Council's denial of this request will result in the loss of an additional 17 positions and a further reduction of San Joaquin County residents' access to justice. Further reduction in courtrooms and hours of service will particularly harm children, the elderly, crime victims and families, in short, the most vulnerable in society, whose only recourse for legal protection is the public justice system.

Court closures and cutbacks result in higher business costs and uncertainty to local businesses already severely impacted by the recession. The inability to timely and expeditiously resolve business disputes impedes business development, reduces taxes collected for general fund purposes and contributes to persistently higher rates of unemployment in San Joaquin County. (Estimated at 16.2 percent in May, 2011; Sacramento County's unemployment rate in the same period was 11.2 percent; San Francisco's 8.4, Los Angeles', 11.9.) [See, <http://unemployment-rates-county.findthedata.org>.]

Should the Judicial Council deny our court's request, we anticipate civil division staff will be cut more than 50 percent and small claims will be eliminated. Cuts to court funding to date have resulted in

- Service cuts to more than 200,000 south county residents and more than 60,000 north county residents, who now must bus, hitch or drive to Stockton to resolve traffic tickets, small claims cases and to obtain (or challenge) domestic violence restraining orders.
- Longer waits in line or on the phone for customers filing with the court or inquiring about their cases. Public window staff often serve clients who have waited a hour and more in line for service. Customers who have taken work off early to resolve traffic tickets and other matters are turned away at 3:00 p.m., understandably frustrated.
- For all of the above reasons, we urge the Judicial Council to approve our court's \$2 million funding request. Thank you for your consideration.

  
Bridget Childs

Date: December 9, 2011

Hon. Tani Cantil-Sakauye, Chief Justice, Chair  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Chief Justice Cantil-Sakauye:

My name is Alexander Castillo and I have served as a Clerk Processor for the Superior Court of San Joaquin County for 4 years.

I am writing in support of, **Discussion Agenda Item I – Trial Court Improvement Funds Allocation: Request of the Superior Court of San Joaquin County for Supplemental Funding for Urgent needs.**

If this request is denied, it will result in a loss of an additional 17 positions further limiting San Joaquin County resident's access to justice. It would be nothing short of harmful to the families, children and crime victims who depend on the access to our courts for justice.

In addition, California businesses and our economy can't handle the higher cost of doing business and the higher business risks that are associated with reduced access to courts, civil court closures and longer waiting times before cases are heard and resolved.

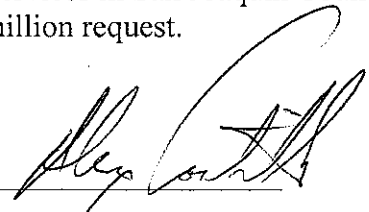
Also, I've been listening and observing the public views (attitudes) and have noticed that the integrity of Judicial System is losing respect.

Reducing court services in San Joaquin County is harmful and unnecessary. I urge you to approve the \$2 million request.

Sincerely,

Member name

Address

  
222 E. WEBER AVE  
STOCKTON CA 95202



**Hon. Tami Cantil-Sakauye, Chief Justice, Chairperson  
Judicial Council of California  
455 Golden Gate Avenue  
Sacramento, California 95814**

**Timothy Robinson  
2417 Lucerne Avenue  
Stockton, California 95203**

**RE:COURT BUDGET CRISIS**

**Dear Chief Justice Cantil-Sakauye:**

**Good day. I have served as a Legal Process Clerk and/or Courtroom Clerk for the San Joaquin County Courts since 1994. This latest proposal to reduce our ability to service the citizens of San Joaquin County will only negatively impact the community in which we live.**

**Given the current economic conditions that our county is faced with, drastic budget cuts to our court system will only exacerbate problems for the foreseeable future.**

**As a result of the first round of budgetary cuts, the Court CEO had to order the closing of the Tracy branch, half of the Lodi Courthouse, and a substantial reduction in the number of staff to service the general public throughout San Joaquin County.**

**Further reducing court services in San Joaquin County will prove to be unnecessary and unwise. There must be more creative solutions that would achieve the same level of monetary savings minus the negative impact to the public and their access to the court system.**

**Please direct the A.O.C. to do the following:**

**End further spending on CCMS.**

**Trim the excessive fat from the centralized bureaucracy.**

**End exorbitant and disproportionate pensions to top managers.**

**Terminate the Deloitte contract due to the costly IT mishap.**

**Eliminate overly expensive and ostentatious construction projects.**

**I URGE YOU TO APPROVE THE TWO MILLION DOLLAR REQUEST FOR ADDITIONAL FUNDS TO SAN JOAQUIN COUNTY!!**

**In closing, I believe that it would be in the best interest of the citizens of San Joaquin County to maintain the public's access to a fair and open justice system.**

**Thank You,**

**Timothy Robinson  
San Joaquin County Courtroom Clerk  
Stockton, California**

**From:** Alliance Judges [mailto:allianceofcaliforniajudges@gmail.com]  
**Sent:** Friday, December 09, 2011 4:40 PM  
**To:** Spero, Nancy  
**Subject:** Request to Council

December 9, 2011

Dear Justice Baxter:

We note that at the next Judicial Council meeting you, as Chair of the Policy Coordination and Liaison Committee (PCLC), intend to request that the Council vote to oppose AB 1208. We write to respectfully request that the Judicial Council not take that action.

As you must know, the majority of Judges in this state have indicated support for this measure. That is evidenced by a plebiscite of the California Judges Association, sponsorship of the measure by the 400-member Alliance of California Judges, as well as the individual support of many local trial courts including Los Angeles, Sacramento, San Mateo, Kern, Amador, and Mariposa.

AB 1208 merely directs that all monies appropriated to the trial courts be apportioned to the trial courts without hold backs or set asides by the Judicial Council. The measure thus assures that our local trial courts be treated as the first priority in funding--a position the Council and the Chief Justice have repeatedly espoused over the past two years.

A Council vote in opposition to this common sense measure will only further erode the Council's relationship with the local trial courts. The Council is not an elected governing body. Because the Council is a body of appointees, there appears to be no doubt as to the outcome of any vote on a measure that reaches Judicial Council consideration. The lack of a serious discussion where opposing viewpoints can be aired, coupled with a foregone conclusion as to the result, will do nothing to further a restoration of balanced governance within the branch.

For all of those reasons, we request that no action be taken on AB 1208. We ask that the Judicial Council itself abstain, request that its governmental affairs office take no position, as did the California Judges Association, and allow the legislative process to go forward in a manner where all judges and courts can state their views on the bill directly to the Legislature, without the Judicial Council taking sides in the matter. In this way, the views of all independently elected constitutional officers of the judicial branch will be shown the respect they deserve.

Very truly yours,

Directors, Alliance of California Judges

cc: Members of the Judicial Council



## Restoring Balance



### RESCUING THE CALIFORNIA TRIAL COURTS

*A Report of the Alliance of California Judges*

November 18, 2011

# Introduction

## Restoring Balance

The trial courts of our state are in crisis.

The problem is not simply lack of money. The problem is that a bureaucracy, not the courts, has failed to deliver needed funds and failed to make the trial courts its first priority. The Legislature enacts the annual budget for trial court operations but *current law does not require that the Judicial Council fully deliver all of the money which the Legislature has appropriated to the trial courts*. This imbalance frustrates the fundamental purpose of economy and efficiency in state trial court funding. Instead, it promotes many “diseconomies.” The current structure has led to waste and mismanagement by the Administrative Office of the Courts (AOC), the administrative arm of the California Judicial Council.

The statutes need to be reformed so that the money the Legislature allocates for operation of the trial courts is actually delivered for its intended purpose.

**Assembly Bill 1208**, authored by **Majority Leader Charles Calderon**, has passed committee and is pending on the floor of the Assembly. This legislation provides an essential “first step” in building a solution to the trial court funding crisis. The immediate passage of AB 1208 is imperative.

**The immediate passage of AB 1208 is imperative.**

## Courts are in Crisis

**Presiding Judge Katherine Feinstein** of the San Francisco Superior Court has stated “the civil justice system in San Francisco is collapsing.” As reported in the New York Times, uncontested divorces could take 18 months to complete and child custody battles could take more than six months. In 2010, the Los Angeles Superior Court system terminated more than 300 employees and closed 17 courtrooms. The problem is felt by all local courts. It will get worse.

Overall, with adjustments, the courts have absorbed a \$605 million loss of funding since 2008. Courts are expected to absorb an average 20% permanent loss of funding by next fiscal year.

The state is now facing even a further drop in expected revenues. The Legislature will likely be considering further budget reductions as early as January. Because a restoration of funding is unlikely, the Legislature must act to ensure that the trial courts receive the maximum funds available within the existing Judiciary budget.

**The Legislature must act to ensure that the trial courts receive the maximum funds available within the existing Judiciary budget.**

## The Problem: Existing Law Does Not Require Full Funding of the Trial Courts

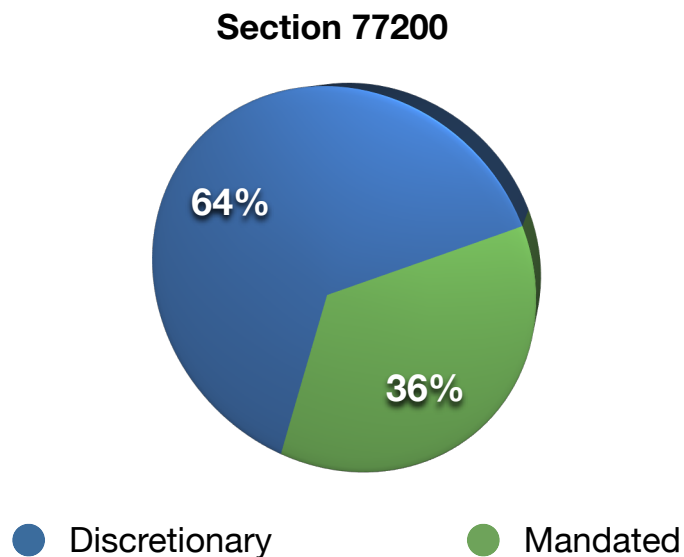
The current structure of trial court funding was created by the Legislature in 1997 under the **Lockyer-Isenberg Trial Court Funding Act**. After unification of the municipal and superior courts, the essential feature of the Act was to move trial court funding from the counties to the state.

The basic plan of the law was to “cap” the obligation of the counties for trial court funding, with the balance of needed money coming from the state. The continued county contribution and certain fees, fines and assessments were to be placed in the Trial Court Trust Fund. The Legislature declared that state funding would increase efficiency and economy, but that the trial courts be locally controlled in a decentralized system of management.

Unfortunately, the law was put into place without clarifying the respective roles of the Judicial Council on the one hand, and the trial courts on the other. All funds, including trial court appropriations, were put into the hands of the Judicial Council, which was never designed to be a governing body.

The essential problem is embodied in Government Code section 77200, which currently states that the Judicial Council shall “allocate funds to the individual trial courts pursuant to an allocation schedule adopted by the Judicial Council, but in no case shall the amount allocated to the trial court in a county be less than the amount remitted to the state by the county in which that court is located....” This provision, along with other sections, provides the Judicial Council with discretion to withhold money that the Legislature appropriates annually for local trial court operations. The Judicial Council is only obligated to provide the courts with the amount of the county maintenance of effort funding.

The following chart illustrates the problem. For this fiscal year, the county maintenance of effort obligation was \$658 million. The total allocation to the trial courts (Budget Account No. 250.45.10) was slightly over \$1.8 billion. This means that the Judicial Council has discretion over nearly 2/3’s of the money the Legislature has set aside for the trial courts.



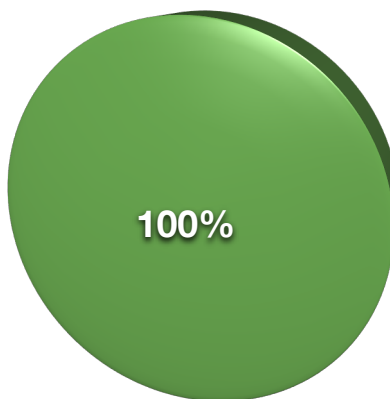
### **The First Step to a Solution: AB 1208**

This imbalance creates a number of problems within the funding model for the trial courts. First, this unregulated discretion has made the AOC a bloated, unresponsive and wasteful bureaucracy. It has led to a situation where the constitutionally independent trial courts feel forced into subservience or obligation to a central administration instead of being perceived as partners in the administration of justice.

The AOC has diverted millions of dollars away from the trial courts, primarily to spend it on an ill-conceived and poorly executed statewide computer project. **The Legislature is now divorced from its constitutional role to determine where public dollars should be spent.** This existing law has created serious diseconomies that need to be corrected.

The first step in strengthening the funding model for the courts is to provide for a full funding from available resources—**AB 1208**. **AB 1208** changes section 77200 so that the Judicial Council shall “allocate funds to the individual trial courts pursuant to an allocation schedule ~~adopted by the Judicial Council~~ as set forth in Section 77202, but in no case shall the amount allocated to the trial court in a county be less than the amount remitted to the state by the county in which that court is located ....” AB 1208 then amends section 77202 to provide that *the Judicial Council or its designee shall allocate 100 percent of the funds appropriated for trial court operations according to each court’s share of statewide operational funding.* The bill further provides that commencing with the 2011–12 fiscal year, the amount allocated to each trial court from the amount appropriated for trial court operations *shall be equal to the pro rata share of the adjusted base budget of the prior fiscal year*, with appropriate annual adjustments that currently take place. Of course, these changes will now change the mandated payments to the trial courts to 100%.

### Amended 77200



● Mandated

It is **imperative** that this first step occur immediately. Once corrected, funding solutions may then be directly applied to the courts at the community level, rather than risking the continued mismanagement of resources by a central bureaucracy.

## State Funding of the Trial Courts

### The Lockyer-Isenberg Act

The Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233) was enacted to provide state responsibility for funding of trial court operations commencing in the 1997–98 fiscal year.

The Act was intended to provide that county contributions to trial court operations be permanently capped at the same dollar amount as that county provided to court operations in the 1994–95 fiscal year and to provide that the State of California assume full responsibility for any growth in costs of trial court operations thereafter.

The Legislature deemed that such funding was necessary to provide uniform standards and procedures, economies of scale, and structural efficiency and simplification.

The Legislature also acknowledged the need for strong and *independent* local court financial management.

Article VI, section 4 of the Constitution establishes the superior courts of the state. Government Code section 77001 (per Lockyer-Isenberg) mandates that local trial courts have the *exclusive* authority to manage their day-to-day operations. Trial courts have constitutional and statutory autonomy. The Lockyer-Isenberg Trial Court Funding Act of 1997 also provides that trial courts must have flexibility in the management of their affairs.

One problem with the new state funding model is that it gave substantial discretion over funding to the Judicial Council, which is poorly equipped for the task. The Judicial Council is not a governing body, and any authority it has is purely a creation of statute. The Judicial Council does not govern the trial courts. The Judicial Council’s grant of authority under the Constitution is limited. Article VI, Section 6(d) provides only as follows: “To improve the administration of justice the council shall *survey judicial business and make recommendations* to the courts, make recommendations annually to the Governor and Legislature, adopt rules for court administration, practice and procedure, and perform *other functions prescribed by statute*. *The rules adopted shall not be inconsistent with statute.*”

The Legislature also acknowledged the need for strong and *independent* local court financial management.

### “Diseconomies” of Scale

The experience of the last 14 years has demonstrated that the fundamental purpose of the Lockyer-Isenberg Act has been frustrated by a lack of balance between local management and central oversight. From 1997 to date, the LAO has consistently expressed concerns over the lack of justification in judicial budgeting and the failure to implement competitive practices. The LAO specifically stated concerns over AOC management of branch initiatives, including the CCMS project, and questioned whether court facility maintenance and construction should be in the hands of the AOC, as opposed to General Services, when the AOC had no experience in these areas.

The initial solution-- centralized financial control-- was designed to achieve economies of scale. Economies of scale work best in a competitive environment. For the Executive Branch, this “competition” is created through divergent agency missions; for the Legislative Branch it is inherent in the two-house, two-party system.

For the Judicial Branch, consolidation has had the unintended consequence of diseconomies of scale.

The JC has adopted a “Carverized” methodology of management, by which the Judicial Council only adopts broad policies and leaves the administrative implementation in the hands of the AOC. Unfortunately, the voting majority of the Judicial Council consists of working judges who have little time to provide oversight. The Judicial Council only meets about six to eight times per year.



Because the Judiciary is an independent branch of government, the Legislature and Executive branches defer substantial oversight out of concern for separation of powers, perhaps not appreciating that the Judicial Council and the AOC are not *courts* — they are administrative agencies charged with responsibility for billions of dollars of public funds. This leaves an agency (the AOC) without the typical internal governmental “tensions” that promote the efficiencies originally intended. The AOC has responded with unrestrained growth, very expensive initiatives, loose organizational decision-making, and a lack of transparency and accountability.

The initial goal of increased efficiency by centralized financial control has been frustrated by these diseconomies of scale. Features of this phenomenon are apparent in the AOC and Judicial Council management of the branch: lack of transparency in communication and reporting, duplication of effort, organizational hubris and aggrandizement, political justifications instead of economic justifications, isolation of decision-makers, slow response, and inertia (resistance to change).

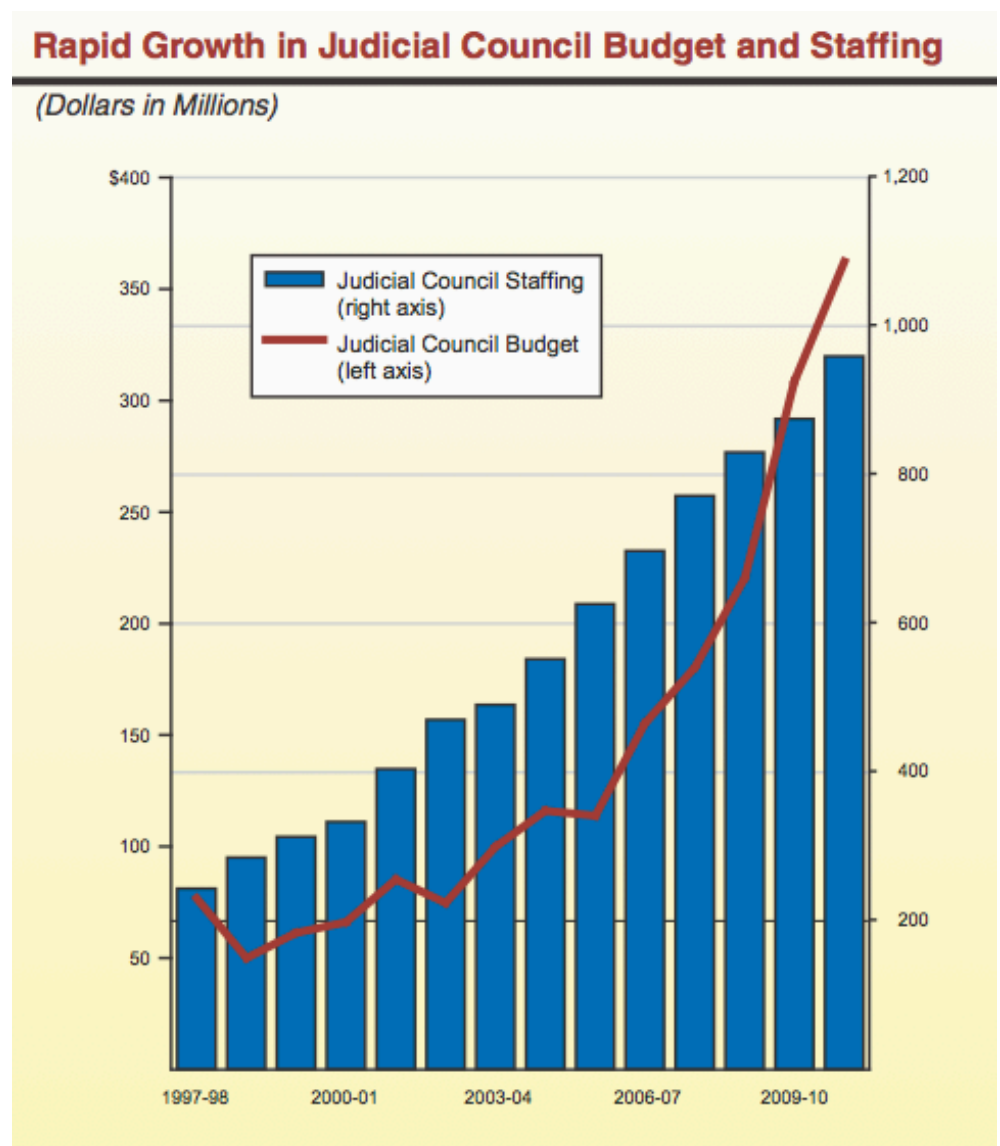
### The AOC is Too Big

A recent report of the Legislative Analyst’s Office has documented that the number of positions in AOC has more than tripled from 244 in 1997-98 to 960 in 2010-11.

In fact, the problem is even worse.

AOC records reveal 878 “employees” and 112 “temporary employees” hired through Apple One. Some of the “employees” that the AOC notes were “laid off” have been hired back as “temporary” employees at a substantially higher hourly rate.

Further, in 2011 the AOC executed 55 new “independent contracts” for technology projects — primarily CCMS — and retained many other “independent contractors” for construction, architecture, environmental consulting, real estate consulting, engineering, project management, inspection and other services.



Reprinted from LAO Report, September 28, 2011, page 11 (See *Resources*)

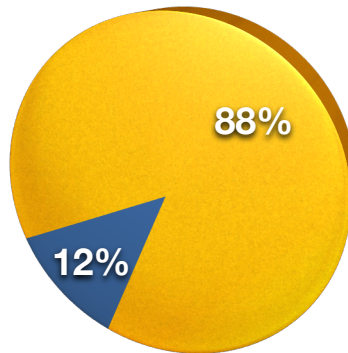
The AOC pays far more than 1,100 people. Unfortunately, the way the AOC maintains records obfuscates the actual number of workers.

As an example of excess, there are 100 employees in the AOC connected with “judicial education.” This is one full time employee for every 17 trial judges in this state, and these staff people do not do the teaching. The teaching is done by judges who volunteer.

In the last year, 80 percent of all AOC employees received a retroactive pay raise. The 30 top paid employees, who earn from approximately \$140,000 to \$217,000 per year, make no personal contribution to their retirement plans, which are completely provided at public expense.

The same LAO Report details the expansion of the Judicial Council’s Budget. As also shown in the LAO’s table, the Judicial Council’s budget has quadrupled from \$77 million in 1997-98 to \$362 million in 2010-11. When compared to the \$2.2 billion devoted to trial court operations, this represents a 12% overriding administrative cost (including maintenance) *on top* of the administrative costs of the trial courts, which are absorbed within their own funding.

### Comparison of AOC Budget to Trial Court Operations



● AOC Total Budget

● Trial Court Operations

### The AOC is Uncontrolled

AOC recommendations to the Judicial Council are routinely approved without serious discussion. Until recently, nearly every vote of the Judicial Council has been unanimous. The staff recommendation to close the trial courts in 2010, perhaps the most significant issue ever facing the courts, resulted in a unanimous vote of the Judicial Council. Recently, there have been one or two spirited dissenting votes, but the council still largely defers to the recommendations of its administrative arm.

Even when facing the difficult decision of how to allocate \$350 million in cuts to the Judiciary's budget this year, the Judicial Council acted on recommendations from the AOC. There were no independent fiscal advisers, auditors or financial experts consulted. The AOC — the very bureaucracy that had a vested interest in protecting itself from the budget ax — was given the responsibility of suggesting how the cuts could best be absorbed by the Judiciary.

## The Judicial Council and the AOC are Isolated and Trial Courts and Judges are Disaffected

The trial courts and judges of the state, the elected Constitutional officers who are charged with conducting justice within their communities and who must face the voters of those communities, have become disaffected and disenfranchised by the explosion of unrestrained AOC authority.

Examples of typical responses by trial judges to a recent survey are revealing. Judges in Sacramento have stated in an official response:

"Their growth appears to be unlimited based on the addition of more and more functions that they can usurp from others."

"The AOC operates with unchecked authority and no ceiling on its own bureaucracy."

"The AOC is too large. The AOC is bloated. There are too many staffers based on the number of judicial officers that they are supposed to serve."

"AOC management and staff fail to comprehend and communicate that they are in service to the judicial branch, and specifically, to the courts. A 'palace mentality' has developed because they are insular and removed from the day-to-day operations of court management," said one judge. "If the AOC were to cease, courts would continue to perform their constitutional functions; if the courts were to cease, there would be no AOC."

"On an appearance level, the opulent and spacious work site of the AOC and its regional offices is indefensible when compared to the relative shabbiness we ask jurors to deliberate in and decide real important issues."

"AOC management is arrogant and retaliatory," one judge said. "As an organization the AOC is an unproductive, unnecessary bureaucracy employing hundreds and hundreds of overpaid people who produce very little that is of utility to the judges and court management throughout the state." The judge adds "Simply stated, the AOC 'Abuses and Overcharges Californians.'"

"AOC has so completely dominated major policy that I feel like a cog in a machine," the judge wrote.

These responses are representative. Judges in Orange County have stated:

"It appears to me that the AOC believes it exists to tell the courts what to do."

"The AOC leadership, down to and including the regional directors, are arrogant and dismissive of judges and act as though the judges are subservient to the AOC and its directives."

"The Judicial Council has a reputation among trial court judges as an insular group that does not tolerate dissent, going so far as to rebuke and abuse trial court judges who have attempted to respectfully offer a different point of view or an objection to a proposal."

The judges of the Los Angeles Superior Court have produced a profound report that adds to this picture. That report states:

- The Judicial Council has not insisted on a complete business case analysis for significant initiatives undertaken by the AOC which results in a loss of accountability for stewardship of branch funds.
- Committees of Judges formed to provide oversight do not operate independently of staff. AOC staff take over the management of court committees in a manner that diminishes input by judges.
- The AOC staff lacks expertise in court operations. Staff displays a lack of respect for the contributions of judges.

- The AOC does not operate with appropriate business expertise, analysis, and controls.

## Attempted Takeover by Means of an Unapproved Trailer Bill

In June of 2009, during the height of budget negotiations which included a shutdown of the courts, judges in the state learned of a proposed trailer bill that had been drafted in the AOC office that completely altered the California judicial system, removing local authority. The proposed amendments were as follows:

“Section 77001 of the Government Code is amended to read:

The Judicial Council shall adopt rules, policies, or directives which ~~establish a decentralized system of trial court management. These rules shall ensure provide, consistent with statute:~~ (c) ~~The authority and responsibility of trial courts to manage all of the following, consistent with statute, rules of court, and standards of judicial administration:~~

- (a) ~~Local authority and responsibility of trial courts to manage day-to-day operations.~~
- (b) ~~Countywide administration of the trial courts.~~
- (1) ~~Annual allocation of superior court funding, including policies and procedures about moving funding between functions or line items or programs.~~
- (2) ~~Local personnel plans, including the promulgation of personnel policies.~~
- (3)-(b) Processes and procedures to improve court operations and responsiveness to the public.
- (c) ~~The trial courts of each county shall establish the means of selecting presiding judges, assistant presiding judges, executive officers or court administrators, clerks of court, and jury commissioners.~~
- (d) ~~Trial Superior~~ court input into the Judicial Council budget process.
- (e) Equal access to justice throughout California utilizing standard practices and procedures whenever feasible.

When news of this controversial proposed bill became public knowledge, the AOC’s response was that the language had been written by the Department of Finance. The Department of Finance denied requesting a bill with such sweeping changes. The AOC has now identified the matter as a mistake, but the employee who wrote the changes has not been identified, nor has any detailed public information been forthcoming to explain how the proposed draft bill came about or who authorized it to be drafted.

## The Judicial Council and AOC are Unresponsive--Refusing to Prioritize the Trial Courts

Perhaps the most glaring and immediate example of how unresponsive the Judicial Council and the AOC have become occurred at the July 22, 2011, meeting of the Judicial Council, which considered allocations of trial court funding to implement \$350 million of reductions to funding of the Judiciary. The AOC staff made a proposal that gave itself equal footing with the courts, and also proposed to limit the mitigation to the trial courts authorized by the Budget Act.

The Legislature provided \$150 million for mitigation to the trial courts. The AOC recommendations provided for only \$67,839,000 of authorized mitigation. The Alliance of California Judges proposed that the additional \$82,161,000 remaining of authorized mitigation be used. The Alliance proposed that this further mitigation be provided so that trial courts could ratably reduce reserves to avoid immediate draconian consequences.

This proposal was supported by very strong appeals by **Presiding Judge Katherine Feinstein** of San Francisco, PJ-elect **Judge Laurie Earl** of Sacramento, court employees and the California Judges Association. Kern County **Judge David Lampe** made an appeal on behalf of the Alliance.

A motion which mirrored the Alliance proposal was offered by **Judge David Wesley** and seconded by **Judge Burt Pines**, both of Los Angeles. Judge Wesley and Judge Pines were the only two that voted for the measure. The 17 members who voted "NO" included the Chief Justice. The action of the Judicial Council and the Chief Justice therefore ignored the requests of Los Angeles judges, San Francisco judges, Sacramento judges, Kern judges, court employees, and the two organizations that together comprise virtually all of the trial judges of California.

## The CCMS Fiasco

In 2003, the AOC began the development of a statewide case management project—the California Court Case Management System (CCMS). The AOC's records show that the full cost of the project is likely to reach nearly \$1.9 billion. This amount does not include costs that superior courts and other county and state agencies will incur to implement CCMS, which have never been estimated.

The overwhelming problems with the AOC management of this project have been well documented. One of the most significant issues is that this project has never had any independent funding. That means that the entire cost of the project has been paid for with money otherwise available to support the trial courts.

A May 18, 2011, report of the AOC to the Legislature reveals that the total expenditures through the 2010-2011 fiscal year were projected at \$546 million.

<b>California Court Case Management System (CCMS) Project, Ongoing Programs and Services, and Interim Case Management System Funding and Expenses - Early Adopter Deployment (FY 2010-2011 through FY 2012-2013 Estimated)<sup>1</sup></b>						
	Subtotal, FY 2002-03 through FY 2009-10	Estimated FY 2010-11	Estimated FY 2011-12	Estimated FY 2012-13	Total	
<b>FUND SOURCES</b>						
General Fund	\$ 7,097,685	\$ 310,278			\$	7,407,963
Modernization Fund	\$ 72,216,579	\$ -			\$	72,216,579
Trial Court Trust Fund	\$ 116,662,916	\$ 83,507,033			\$	200,169,949
Trial Court Improvement Fund	\$ 195,494,279	\$ 7,703,903			\$	203,198,182
Trial Court Reimbursements	\$ 12,947,997	\$ 1,310,947			\$	14,258,944
Trial Court Expenditures (direct pay by court)	\$ 49,622,207	\$ -			\$	49,622,207
<b>TOTAL FUNDING</b>	<b>\$ 454,041,663</b>	<b>\$ 92,832,161</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$</b>	<b>546,873,824</b>
<b>EXPENDITURES</b>						
<b>CCMS Project Costs</b>						
Civil, Small Claims, Probate, MH Development & Deployment	\$ 94,683,072	\$ -	\$ -	\$ -	\$	94,683,072
CCMS Development (Incl. Planning & Strategy)	\$ 198,951,794	\$ 25,471,899	\$ -	\$ -	\$	224,423,693
All CCMS Deployment Costs	\$ 3,680,113	\$ 26,476,813	\$ 48,770,181	\$ 16,545,305	\$	95,472,412
DMS Project Costs	\$ -	\$ 703,903	\$ -	\$ -	\$	703,903
<b>TOTAL CCMS PROJECT</b>	<b>\$ 297,314,979</b>	<b>\$ 52,652,614</b>	<b>\$ 48,770,181</b>	<b>\$ 16,545,305</b>	<b>\$</b>	<b>415,283,080</b>
<b>Ongoing Program &amp; Services</b>						
CCMS Operational Costs	\$ -	\$ 12,567,987	\$ 55,044,518	\$ 53,431,907	\$	121,044,413
DMS Operational Costs	\$ -	\$ -	\$ -	\$ -	\$	-
<b>TOTAL OPERATIONAL</b>	<b>\$ -</b>	<b>\$ 12,567,987</b>	<b>\$ 55,044,518</b>	<b>\$ 53,431,907</b>	<b>\$</b>	<b>121,044,413</b>
<b>Interim CMS</b>						
Criminal & Traffic Development	\$ 14,229,162	\$ -	\$ -	\$ -	\$	14,229,162
Criminal & Traffic Maintenance & Support	\$ 56,789,445	\$ 6,568,156	\$ 6,933,526	\$ 6,999,483	\$	77,290,610
Civil, Small Claims, Probate, MH Maintenance & Support	\$ 85,708,078	\$ 21,043,404	\$ 13,842,277	\$ 11,027,324	\$	131,621,083
<b>TOTAL INTERIM CMS</b>	<b>\$ 156,726,684</b>	<b>\$ 27,611,560</b>	<b>\$ 20,775,803</b>	<b>\$ 18,026,807</b>	<b>\$</b>	<b>223,140,854</b>
<b>TOTAL CCMS PROGRAM EXPENDITURES</b>	<b>\$ 454,041,663</b>	<b>\$ 92,832,161</b>	<b>\$ 124,590,503</b>	<b>\$ 88,004,019</b>	<b>\$</b>	<b>759,468,347</b>

As can be seen from the table of expenses, the cost to maintain these interim programs is also exorbitant, costing over \$40 million per year. It is costing nearly \$7.0 million per year in subsidies from the state to keep one calendar system for criminal and traffic operating in only one court (Fresno County).

With this enormous cost, CCMS runs only a small portion of case management in seven counties. In Los Angeles County, this system only operates in one courthouse, calendaring approximately eight small claims cases per day. It is now clear that the courts will never be able to afford to implement the system in all 58 counties.

### Criminal and Civil System Implementations to Date

INTERIM SYSTEM	CASE TYPES	SUPERIOR COURTS						
		FRESNO	LOS ANGELES*†	ORANGE*	SACRAMENTO	SAN DIEGO*	SAN JOAQUIN	VENTURA
Criminal system	Criminal	✓						
Criminal system	Traffic	✓						
Civil system	Civil			✓	✓	✓	✓	✓
Civil system	Probate			✓	✓	✓	✓	✓
Civil system	Small claims		✓	✓		✓	✓	✓
Civil system	Mental health			✓			✓	✓

Reprinted from BSA Report, February 2011, page 15 (See *Resources*)

In February 2011, the State Auditor’s review of the AOC’s oversight of the development of CCMS revealed that the AOC:

- **Inadequately planned for the statewide case management project and did not analyze whether the project would be a cost-beneficial solution to the superior courts' needs.**
- **Was unable to provide contemporaneous analysis and documentation supporting key decisions on the project's scope and direction.**
- **Did not structure the development vendor's contract to adequately control cost and scope—over the course of seven years, the AOC entered into 102 amendments and increased the cost from \$33 million to \$310 million.**
- **Failed to develop accurate cost estimates—in 2004 the cost estimate was \$260 million and by 2010 the estimated cost was \$1.9 billion.**
- **Has not obtained the funding needed for statewide deployment and without full deployment to the 58 superior courts, the value of the project is diminished.**
- **Must gain better support from the superior courts for the project—the superior courts of Los Angeles and Sacramento counties asserted that they will not adopt the system unless their concerns are resolved.**
- **Did not contract for independent verification and validation of the statewide case management project until 2004 and independent project oversight services until 2007.**
- **The statewide case management project may be at substantial risk of future quality problems as a result of the AOC's failure to address certain of the consulting firm's concerns.**



The work undertaken by the AOC on the statewide case management project lacked sufficient planning and analysis. The AOC had a consultant prepare a business case in December 2007 (2007 consultant study), four years after the project's inception. The AOC maintains that it commissioned the study to quantify the benefits that would be realized from CCMS. The Auditor found that rather than critically analyzing the propriety of the statewide case management project, the AOC commissioned the 2007 consultant study to *justify its previous actions and decisions*.

**The work undertaken by the AOC on the statewide case management project lacked sufficient planning and analysis.**

Moreover, the AOC was unable to provide contemporaneous analysis or documentation supporting key decisions on the project's scope and direction.

Additionally, the AOC did not structure its contract with Deloitte Consulting LLP (development vendor), to ensure that the AOC could adequately control the total cost and size of the contract. Over the course of seven years, the AOC entered into 102 amendments to develop, deploy, and support the civil system; to deploy and support the criminal system; and to develop CCMS. Further, the AOC did not ensure that it could benefit from the warranty for the civil system because no superior court had begun to use the civil system in a live operational environment before the warranty expired.

In addition to planning inadequately for the statewide case management project, the AOC consistently failed to develop accurate cost estimates. Projected in 2004, the AOC's earliest available cost estimate for the system was \$260 million, an amount that grew substantially to \$1.9 billion based on the AOC's January 2010 estimate. The \$1.9 billion estimate fails to include costs that the superior courts have already incurred to implement the interim versions—which they reported to us as costing nearly \$44 million—as well as the unknown but likely significant costs that superior courts will incur to implement CCMS. The latest estimate also does not reflect the nature of the costs that state and local government justice partners will incur to integrate their systems with CCMS. The Auditor has estimated that full implementation may cost \$3.0 billion.

The Auditor also found that the AOC did not provide the Legislature with additional beneficial information about the projected increases in total project costs. Specifically, the four annual reports that the AOC submitted to the Legislature between 2005 and 2009 did not include comprehensive cost estimates for the project, and the 2010 report did not present the costs in an aggregate manner. As a result, these annual reports did not inform decision makers about the true cost of the statewide case management project.

**The AOC's "annual reports [to the Legislature] did not inform decision makers about the true cost of the statewide case management project."**

The project is at risk of not being funded for statewide deployment. The AOC estimates that it will need roughly \$1 billion to deploy the system statewide. Future funding remains most uncertain.

Barring any delays, the useful life of CCMS may be very short. Even under the most optimistic estimates, CCMS technology will be almost 10 years old if and when fully deployed. If CCMS is ever fully deployed, it will likely be outdated shortly after its deployment.

## The Court Construction Fiasco

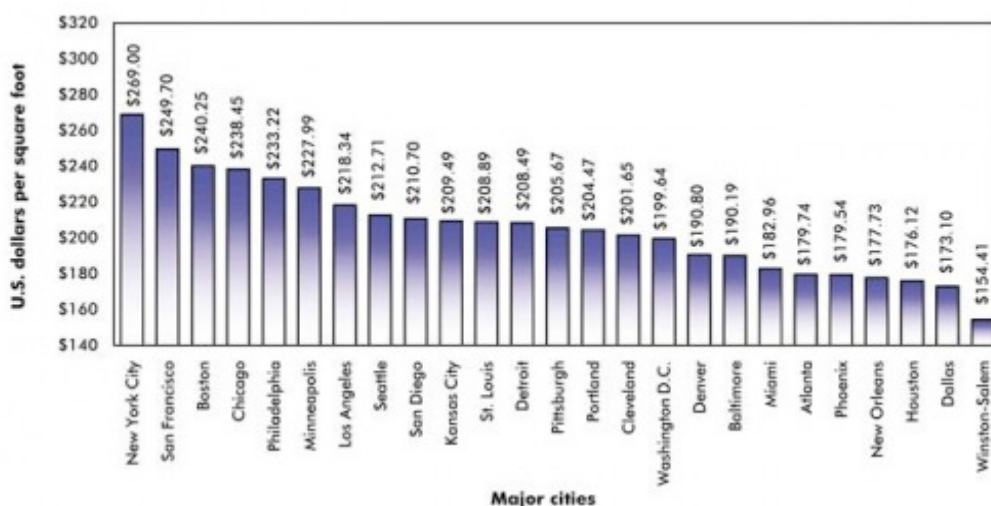
The cost per square foot of courthouses designed and built through the AOC's Office of Construction and Maintenance has been the subject of numerous allegations of failure to responsibly design and build courthouses with the needs of the community in mind. Excessive spending, exorbitant and unnecessary features, square footage and numbers of courtrooms disproportionate to the populations they serve, and a general lack of apparent concern for taxpayer dollars have all been demonstrated.

The anticipated cost per square foot for courthouse construction has been evaluated by an industry leader in projection of costs, RSMMeans. The chart below sets forth costs to build courthouses in various counties in California and elsewhere throughout the United States.

### Construction Cost per Square Foot for a Courthouse

Posted by Dean Dalvit • April 21, 2011

"In an ongoing series to maintain the most updated construction cost information available to us from RSMMeans, the leader in construction cost estimating, new data has come out for the construction cost per square foot for Courthouses and similar facilities."



*Construction Cost per square foot Courthouse March 2011 per RSMMeans  
(<http://rsmeans.reedconstructiondata.com/>)*

The highest cost per square foot is in New York City at \$269.00 per square foot, while the low end in Winston-Salem is at \$154.41, with a median of \$208 per square foot. These costs are higher than ordinary market rate office buildings because of security requirements.

Under AOC management, the figures for court construction far exceed anything reasonable in any economy, but especially in the one we are currently experiencing. An article by **Maria Dinzeo** of the Courthouse News Service reports that a new one-room Lake Tahoe courthouse is estimated to cost \$747 per square foot for construction. A three-room courthouse in Plumas County will cost \$644 per square foot for construction. A new courthouse in San Diego is estimated to cost \$523 per square foot for construction. The price skyrockets to \$900 per square foot when all other costs, such as land, are included.

"That strikes me as absurd," said **Dean Dalvit**, a Colorado-based architect and engineer. He questioned whether the AOC is planning to "gold-plate the walls."



Typical examples of the cost per square foot the AOC has spent or anticipates spending to build a variety of courthouses is set forth below. The AOC's estimates of construction costs are at odds with those recently calculated by the Legislative Analyst's Office.

#### **Butte County, Chico Courthouse**

Courtrooms: 5  
Square footage: 67,443  
Estimated total cost per AOC website:  
\$76,065,000  
**Cost per LAO Report -- \$76,947,000**  
Estimated construction cost per square foot  
from AOC website: \$634  
**Cost of construction per LAO Report -- \$798  
per square foot (\$53,863,000/67,443 sq ft)**  
Current status: Architectural design, preliminary  
plans  
Expected completion: 1 Q 2014  
Total Cost per square foot from LAO report: \$  
1,141  
Cost per courtroom: \$ 15,389,400

#### **Kern County, New Delano Courthouse**

Courtrooms: 3  
Square footage: 39,780  
Estimated total cost per AOC website:  
\$41,924,000  
**Cost per LAO Report -- \$41,425,000**  
Estimated construction cost per square foot per  
AOC website: \$607  
**Cost of construction per LAO Report -- \$786  
per square foot (\$31,255,000/39,780 sq ft)**  
Current status: Site selection and acquisition  
Expected completion: 4Q 2014  
  
Total Cost per square foot: \$ 1,041  
Total Cost per courtroom: \$ 13,808,333

#### **San Diego County, Central Courthouse**

Courtrooms: 71  
Square footage: 704,000  
Estimated total cost per AOC website:  
\$633,934,000  
**Cost per LAO Report -- \$642,596,000**  
Estimated construction cost per square foot  
from AOC website: \$523  
**Cost of construction per LAO Report -- \$713  
per square foot (\$502,286,000/704,000 sq ft)**  
Current status: Architectural design, preliminary  
plans  
Expected completion: 1 Q 2016  
  
Cost per square foot: \$ 913  
Cost per courtroom: \$ 9,050,633

#### **Santa Clara County, New Santa Clara Family Justice Center**

Courtrooms: 20  
Square footage: 233,906  
Estimated total cost per AOC website:  
\$241,950,000  
**Cost per LAO Report -- \$241,950,000**  
Estimated construction cost per square foot per  
AOC website: \$625  
**Cost of construction per LAO Report -- \$791  
per square foot (\$184,966,000/233,906 sq ft)**  
Current status: Site selection and acquisition  
Expected completion: 2 Q 2014  
  
Total Cost per square foot: \$ 1,034  
Total Cost per courtroom \$ 12,097,500

Additionally, as of July 8, 2011, the AOC's court construction and management division had 141 employees, when 31 "temporary employees" through Apple One Temps are included. Over 85% of the employees in this division earn salaries exceeding \$80,000 per year. This number does not include a large number of independent contractors performing services such as architecture and engineering, design, environmental consulting, and construction services.

## The Court Maintenance Fiasco

The AOC has encountered significant problems in managing the maintenance of court facilities.<sup>1</sup> AOC mismanagement has resulted in significantly inflated maintenance costs, which exceed the amount paid into the Court Facilities Trust Fund by the counties. Because this maintenance money has been inadequate, the AOC has been using court construction money to perform routine maintenance, which appears to conflict with statutory and regulatory restrictions. Staff reports to the California Legislature indicate the following issues.

The Trial Court Funding Act of 2002 enacted a process for transferring most trial court facilities from the counties to the Judicial Council. As of December 31, 2009, 532 trial court facilities had been transferred and are now administered by the Office of Court Construction and Management at the AOC..

The courts spent \$104 million on operations and maintenance in 2009-10, including \$5.7 million from the state general fund. The AOC spent another \$40 million on facilities modification projects.

As part of the courthouse transfer process, the counties agreed to pay an annual fee to the AOC based on average annual maintenance costs, including utility costs, between 2000 and 2005. That fee remains static; it does not rise due to inflation or other factors.

To provide routine maintenance and some major repairs, the AOC entered into contracts with two companies: Jacobs Facilities managed courthouse maintenance for most court facilities in Southern and Central California, and Aleut Global Solutions (AGS) managed most court facilities in Northern California. The companies won the contracts to manage the courthouses through a competitive bidding process. These contracts have recently been re-bid. Jacobs Engineering is no longer a contractor.

The AOC paid the companies in three ways:

- **Labor costs.** The companies invoiced the AOC for hourly wages of its employees, plus costs for travel, materials, health benefits and other indirect labor costs. All maintenance work is subject to state prevailing wage laws.
- **Management Fee.** The companies were paid a fee to manage maintenance at courthouses that is determined by multiplying a set percentage by the total labor cost incurred. The percentages vary by the size of the total courthouses managed.
- **Performance-Based Compensation.** The companies were also paid based on a semi-annual evaluation by the AOC. The AOC allotted a pool of money available to the companies based on their performance. The companies are eligible for 70 percent of the available performance-based compensation for scoring a "satisfactory" score on the evaluation.

To handle most issues at court facilities, ranging from burnt-out light bulbs to water leaks, court officials must call the AOC, which then forwards the concern to one of the contracted companies. To save time, the AOC typically allows the companies to address the problem based on the understanding that it will not cost more than \$500. A spreadsheet of work orders sent to an Assembly committee indicates that even minor issues, such as removing snow or weeds from courthouse grounds, is approved by the AOC at a maximum cost of \$500. The companies then respond to the concern, and send monthly invoices to the AOC totaling their charges.

The AOC sued both Jacobs and AGS in December 2009 for working without appropriate contractor's licenses. Both companies thereafter acquired the proper licensing.

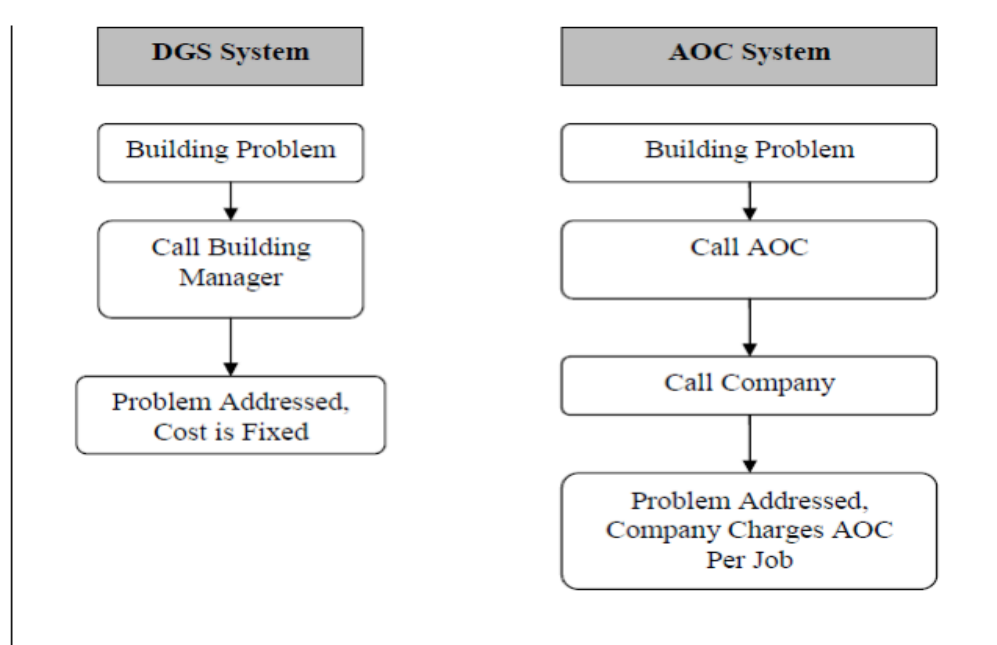
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<sup>1</sup> The materials and graphics in this section are restated and reprinted from a staff background report to the California State Assembly Committee on Accountability and Administrative Review for a hearing held on August 10, 2010. This report is available on the Committee website.

The system set up by the AOC can lead to high maintenance costs. Paying a management fee that is based on the cost of labor for each job performed at a courthouse incentivizes high costs. Documents indicate that the AOC routinely pays more than \$150 to replace light bulbs, for example. In a spreadsheet showing work orders commissioned by the AOC to AGS in 2009, there were 58 calls for replacing lights that totaled more than \$14,000. Other costs include:

- \$1,980 to remove gum from a sidewalk at a courthouse in San Bernardino County;
- \$15,126 to remove gum from a court facility in Sacramento;
- More than \$14,000 to paint a restroom in a Solano County courthouse;
- \$112 to empty trash cans and \$74.90 to empty ash trays in a Northern California juvenile court facility;
- \$178 to replace the batteries in a clock;
- \$149 for a worker to escort another worker through a courthouse;
- \$124 to reorganize a storage room maintained by the maintenance company that was hired by the AOC.

The process used by the AOC to maintain courthouses differs from how the state Department of General Services (DGS) charges state agencies to maintain their office space. Based on the previous year's costs, DGS establishes a fixed fee per square foot they will charge state agencies to maintain buildings, including minor repairs. DGS then employs a building manager in each building who responds to daily concerns from building occupants. There is no calculation of charge; it is done through the fixed fee. For larger-scale repairs, DGS has established an hourly rate for specialty employees, such as engineers or plumbers, and charges based on the hours required to fix a problem. In contrast, when a minor or major problem occurs in a court building, court officials first call the AOC. The AOC then calls one of its contracted companies. The companies then dispatch workers to address the issue. Once the problem is addressed, the company calculates its costs and sends monthly invoices to the AOC. Below is a flow chart depicting the two systems:



DGS charged state agencies an average of \$1.95 per square foot to maintain buildings in 2009-10. AOC spent about \$2.43 per square foot, or about 25 percent more than DGS.

These inflated costs have caused the AOC to quietly deploy construction money to pay for routine maintenance.

Government Code section 70374 provides that construction funds shall only be used for the planning, design, construction, rehabilitation, renovation, replacement, leasing, or acquisition of court facilities. Judicial Council rules provide that: “Facility modifications *exclude routine maintenance and repair activities* in that the latter include routine system parts replacement or repair on existing building components, as recommended by the manufacturers or industry-recommended service cycles to ensure the continued operation of systems. Maintenance activities may also include unplanned emergency repairs. Routine maintenance and repair activities include both minor activities, which involve unplanned and planned maintenance, and major activities, which are of a greater scope and typically require some design and engineering support.”

Notwithstanding these admonitions, the AOC’s Office of Court Construction and Maintenance has accessed construction funds to augment the lack of funds in the Court Facilities Trust Fund.

An annual report of the Facilities Modification Working Group of the Judicial Council reveals that not a single planned facilities modification was accomplished for FY 2009- 2010. Instead, the money was spent on unforeseen, out of cycle, or unplanned priorities. In fact, these expenditures were for the most part spent for routine maintenance. For example, an AOC report to the Legislature in February 2011 revealed that a total of 1,692 facility modification projects, costing \$17,637,330, were completed in FY 2009–2010. A list of these projects discloses that the bulk of expenditures were for maintenance, not facilities modification, such as the items set out above, and including repairing an overflowing toilet and remediation (\$13,842), installing two 125-amp breakers (\$13, 543), leak in jury deliberation restrooms, repair plumbing, cosmetic work performed (\$6,572), replace six failed light fixture thermal couplers in main lobby - several lights are not working (\$4,155), palm tree trimming and removal (\$8,521), landscape renovations (\$8,006), removal and clean up of birds' nests (\$8,007), lighting - replace ballasts and lamps - several lights are out (\$7,570), prune two large cypress trees, remove waste (\$10,876), remove and replace P-Trap in men's public restroom (\$2,366), scalp lawn for over seeding of winter rye grass, and adjust sprinkler times for germination period and fertilization of lawn (\$3,625).

## Conclusion

### Rebalancing

From the very beginning of the existence of the Alliance of California Judges, we have warned that our courts faced a growing financial catastrophe, in part due to the out-of-balance priorities established by judicial leadership. That catastrophe has finally arrived.

There are few sources available to mitigate budget cuts. In some combination, the AOC’s operations must be drastically reduced, needed construction must be delayed, and continued funding for CCMS must be eliminated.

There appear to be sufficient construction funds available to partially offset operating budget reductions, obviously at the expense of deferring capital outlays for construction.

There remains further funding associated with CCMS. For example, in 2011- 2012, there is at least \$34,925,534 of maintenance, operations and project funding as follows:

**Maintenance and Operations**

Criminal and Traffic (V2) (Fresno)	\$6,554,167
Civil, Probate, etc. (V3)	13,787,927
CCMS (V4)	8,867,477

**Projects**

CCMS Development	3,399,687
CCMS V4 Deployment	2,316,306
Total	\$34,925,564

This continues to represent \$35 million as an annual expenditure to support only a portion of case management systems of seven courts. This product should be delivered to these courts to be operated on their own servers by their own IT staff within their own budgets. The CCMS project cannot continue.

The AOC has a salaries and benefits operation of approximately \$100 million. The AOC has proposed to reduce its operations by only 12 percent. This number needs to be substantially increased in favor of trial court mitigation. Reducing AOC operations by one half would allow a shift of approximately \$50 million.

We can no longer afford a top heavy administration where, unlike judges and most court employees, the top 30 executives of the AOC make no personal contribution to their retirement.

**Cooperation—Not Control**

Many in the executive and legislative branches deem the AOC valuable because it represents one “place” that these other branches may go to discuss budget and fiscal decision-making. Unfortunately, that “benefit” has put the AOC in charge of the judicial budget. This has led to the “tail wagging the dog” in terms of failed judicial oversight of critical fiscal and budget decisions.

For this reason, AB 1208 is necessary to guarantee every trial court a minimum direct funding of a baseline allocation from the Legislature without AOC discretion. This will allow the AOC to substantially reduce its financial, administrative, and budgetary functions. Those cost savings can be passed on to the trial courts.

The AOC must be remade as a “cost of services” agency. Once the AOC has been reduced by 50% to its core functions, any court services it offers may be rebuilt based upon this model. Trial courts should receive a full allocation of money, including money that is currently allocated to AOC service functions. Then the AOC may *offer* services to the courts, and set a “price” for those services which will be charged to each court’s allocation if the court *chooses* to use AOC services. This model fosters trial court coordination. For instance, some small courts may agree with a larger court under a Memorandum of Understanding or Joint Services Agreement to combine certain functions, such as IT or human resources. This will promote the utmost level of innovation for the courts. Centralization is not a model for innovation.

This model will have a “market” effect of establishing a true assessment of the need for AOC services. There are some issues that do not meet this market model. However, voluntary organizations of judges or collaborative efforts among the courts can serve these policy oriented functions. Trial Courts are independent constitutional entities, and they are fully empowered to legally cooperate and coordinate without any changes in the law.

## Judgment Under Law is Inherently Local

The American common law is an organic model of political organization and development. Far from being its fault, it is its genius. There are certain inefficiencies that are inherent within this structure that cannot be “corrected “ through central planning by economists or bureaucrats. Due process, the jury trial, the rules of evidence and the concept of *venue* are all reasons why centralization is the “enemy” of this ancient common law system.

"The life of the law has not been logic; it has been experience. ...The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics."

From the first of twelve Lowell Lectures delivered by Oliver Wendell Holmes, Jr. on November 23, 1880, which were the basis for *The Common Law*.

Judges and court employees cannot be forcefully divorced from their community allegiances. This is the vain hope of misguided bureaucracy. It would be the undoing of the law as we know it.

## The Next Step

The Legislature must act to protect our trial courts. These courts are the heart and lifeblood of a vital judicial system. The erosion of their power and authority must stop.

All funds appropriated by the Legislature for local trial court operations, in whatever amount, must be fully delivered to the trial courts without reduction or reserve, and each court must be guaranteed a base-line level of funding consistent with historic practices.

**This remains the only purpose of AB 1208. This is why it must become law.**



## Alliance of California Judges

The Alliance of California Judges, now 400 members, was formed on September 11, 2009, in response to the unprecedented financial crisis now facing our judicial branch. We are an organization of judges in the state acting as a meaningful voice to independently advocate and communicate on behalf of judges with the public, media, and Executive and Legislative branches.



## Alliance of California Judges

This report of the Alliance of California Judges is designed to assist interested judges, legislators, lawyers, journalists and members of the public in evaluating the reasons why the Alliance has sponsored Assembly Bill 1208, authored by **Majority Leader Charles Calderon**. This legislation has passed committee and is now pending on the floor of the Assembly for the 2012 session of the California Legislature. This legislation provides an essential “first step” in building a solution to the trial court funding crisis. The immediate passage of AB 1208 is imperative.

### What AB 1208 Does

Current law does not require that the Judicial Council fully deliver all of the money which the Legislature has appropriated to the trial courts. AB 1208 amends current law to require the Judicial Council or its designee to allocate 100 percent of the funds appropriated for trial court operations by the Legislature, according to each court’s share of statewide operational funding.

### What AB 1208 Does Not Do

The bill does not alter the Judicial Council’s authority to ensure uniform practices or its authority to supervise budgeting for the trial courts. The bill does not change the Judicial Council’s rule-making authority (which is set out in the state Constitution). The bill does not alter the uniform rules of practice and procedure. The bill does not violate separation of powers, because it is purely a financial bill. The Legislature routinely enacts statutes that govern matters affecting the judiciary, especially in areas of financial regulation. It was the Legislature that created the current funding scheme in the first place. It is the Legislature that must address the fiscal crisis in the courts by enacting AB 1208.

### Resources

The following are hyperlink sources available from the electronic version of this report. Contact the Alliance for an electronic copy or for details about these references.

[Assembly Bill 1208](#)

[Lockyer Isenberg Act](#)

[LAO 2011 Report](#)

[Courthouse News Service "Sac Judges Say Court Bureaucracy Should Be 'Dismantled Forthwith'", July 13, 2011](#)

[Courthouse News Service "OC Judge Survey Delivers Broadside to Top Brass of California Courts", July 11, 2011](#)

[Los Angeles County Superior Court Report on Governance](#)

[AOC 2011 Report to the Legislature on CCMS](#)  
[California State Auditors 2011 Report on CCMS](#)

[California Bureau of State Audits Report 2011](#)

[Dean Dalvit, Construction Cost per Square Foot for Courthouses, April 21, 2011](#)

[Courthouse News Service Article on Courthouse Construction by Maria Dinzeo, October 14, 2011](#)

[AOC Facilities Program/OCCM Website](#)

[Courthouse News Service "High Costs for Courthouse Up-keep Raises Legislative Eyebrows: \\$14,000 to Paint Toilets", August 16, 2010](#)

[Annual Report of the Trial Court Facilities Modification](#)