



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 30-31, 2012

Title

Judicial Branch Strategic and Operational
Planning: Process Update

Agenda Item Type

Information Only

Date of Report

August 29, 2012

Submitted by

Executive and Planning Committee
Hon. Douglas Miller, Chair

Contact

Dianne Bolotte (415) 865-7633
John Larson (415) 865-7589

Executive Summary

The Judicial Council develops and adopts branchwide strategic goals and operational objectives, which establishes a common purpose and a shared value system for the branch; provides a framework for orderly growth and progress; and ensures accountability and transparency. Over the next 12 to 18 months, the Judicial Council will work with judicial branch leaders and justice system partners in a collaborative, inclusive process to develop the next Judicial Branch Strategic and Operational Plans.

Previous Council Action: Landmarks in Planning

- 1992:** First branch Strategic Plan adopted as an outgrowth of the 2020 Commission
- 1998:** Trial Court Community-Focused Planning launched
- 1999:** Trial courts submit first plans that in turn inform branch planning
- 2000:** First branch Operational Plan adopted
- 2006:** “Justice in Focus” Strategic Plan 2006-2012 (most recent revision): 6 broad goals
- 2008:** Branch Operational Plan revised 2008-2011 (most recent revision): 29 objectives to achieving goals

Methodology and Process

- Presentation by Hon. Douglas Miller, Chair of Executive and Planning Committee

Next Steps

- December 2012 Judicial Council launches an inclusive 12- to 18-month planning process

Attachments/Links

Strategic Plan for California's Judicial Branch 2006-2012 Justice in Focus:

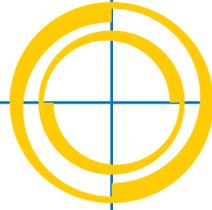
http://www.courts.ca.gov/documents/strategic_plan_2006-2012-full.pdf

Operational Plan for California's Judicial Branch 2008-2011:

http://www.courts.ca.gov/documents/2008_operational_plan.pdf

The
Strategic
Plan for
California's
Judicial Branch
2006–2012

justice
in focus



Justice in Focus

The Strategic Plan for California's Judicial Branch
2006–2012

Adopted December 1, 2006



JUDICIAL COUNCIL
OF CALIFORNIA

Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012

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For additional information, please contact:

Dianne Bolotte, Assistant Director
Executive Office Programs Division
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, California 94102-3688
dianne.bolotte@jud.ca.gov
415-865-7633

This publication is also available on the California Courts Web site at
www.courtinfo.ca.gov/reference/documents/strategic_plan_2006-2012.pdf

Photo credits: Jason Doiy, pages 8, 10, 12, 14, 16 (right), 18, 20, 26–29, 31–32, 34–36, 38, 40–42, 47–49;
The Grove Consultants, page 22 (drawing); David Knight, pages 37, 45; Lee McLaren, page 44; Rona
Rothenberg, page 46; Salk Institute for Biological Studies, page 16 (top).

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**“Embracing the vast and rich diversity of our state—
and viewing it as a resource and not a problem—
can only strengthen our legal system.”**

—Chief Justice Ronald M. George



Dear Friend of the Courts:

We are pleased to present *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*. The strategic plan describes the long-range mission and goals for the state court system.

Since its inception in 1992, the strategic plan has provided a mission and direction for California's judicial branch. Guided by the plan's strategic priorities, the branch has navigated some of the most significant reforms and improvements in our history.

The strategic plan for 2006–2012 builds on past successes to meet the current and evolving challenges of delivering quality justice in a new era. Informed by a wide, representative array of judges and branch stakeholders, including members of the public, community leaders, and other justice system partners, the plan that follows renews and amplifies branchwide commitments to ensuring access and quality services for all Californians. Other strategic hallmarks include the imperatives of independent judicial decisionmaking, modern and innovative administrative practices, technological advancements, and accountability for the use of public resources. The plan affirms the importance of listening to the public, of effective information sharing, and of outreach and education in improving the public's understanding of the courts.

California's judicial branch is committed to courts that are fair and accessible, as well as to services that are responsive to the needs of the public—services that inspire the trust and confidence of Californians from all walks of life. This latest strategic plan will continue to guide us toward our goal of excellence in the administration of justice.

Sincerely,

Ronald M. George
*Chief Justice of California and
Chair of the Judicial Council*

William C. Vickrey
Administrative Director of the Courts



Ronald M. George



William C. Vickrey

Judicial Council Membership

The Judicial Council is composed of 28 members:

- The Chief Justice;
- 14 judges appointed by the Chief Justice (1 associate justice of the Supreme Court, 3 justices of the Courts of Appeal, and 10 trial court judges);
- 4 attorney members appointed by the State Bar Board of Governors;
- 1 member from each house of the Legislature; and
- 7 advisory members, including representatives of the California Judges Association and state court administrative agencies.

This roster includes all council members, present and past, who participated in the development of *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*, adopted by the Judicial Council on December 1, 2006.

Hon. Ronald M. George
*Chief Justice of California and
Chair of the Judicial Council*

Hon. Marvin R. Baxter
*Vice-Chair of the Judicial Council
and Associate Justice of the
Supreme Court*

Hon. Candace D. Cooper
*Presiding Justice of the Court of
Appeal, Second Appellate District,
Division Eight*

Hon. Richard D. Huffman
*Associate Justice of the Court of
Appeal, Fourth Appellate District,
Division One*

Hon. Eileen C. Moore
*Associate Justice of the Court of
Appeal, Fourth Appellate District,
Division Three*

Hon. J. Stephen Czuleger
*Assistant Presiding Judge of the
Superior Court of California,
County of Los Angeles*

Hon. Peter Paul Espinoza
*Judge of the Superior Court of
California, County of Los Angeles*

Hon. Michael T. Garcia
*Judge of the Superior Court of
California, County of Sacramento*

Hon. Jamie A. Jacobs-May
*Judge of the Superior Court of
California, County of Santa Clara*

Hon. Suzanne N. Kingsbury
*Presiding Judge of the Superior Court
of California, County of El Dorado*

Hon. Carolyn B. Kuhl
*Judge of the Superior Court of
California, County of Los Angeles*

Hon. Thomas M. Maddock
*Presiding Judge of the Superior Court
of California, County of Contra
Costa*

Hon. Charles W. McCoy, Jr.
*Supervising Judge of the Superior
Court of California, County of Los
Angeles*

Hon. Barbara J. Miller
*Judge of the Superior Court of
California, County of Alameda*

Hon. Dennis E. Murray
*Presiding Judge of the Superior Court
of California, County of Tehama*

Hon. William J. Murray, Jr.
*Judge of the Superior Court of
California, County of San Joaquin*

Hon. Michael Nash
*Judge of the Superior Court of
California, County of Los Angeles*

Hon. Richard E. L. Strauss
*Judge of the Superior Court of
California, County of San Diego*

Hon. James Michael Welch
*Judge of the Superior Court of
California, County of San
Bernardino*

Hon. Joseph Dunn
Member of the Senate

Hon. Dave Jones
Member of the Assembly

Mr. Raymond G. Aragon
*Vice President, State Bar Board of
Governors*

Mr. Anthony P. Capozzi
Attorney at Law, Fresno

Mr. Thomas V. Girardi
Attorney at Law, Los Angeles

Mr. Rex Heinke
Attorney at Law, Los Angeles

Ms. Barbara J. Parker
*Chief Assistant City Attorney,
City of Oakland*

Hon. Ronald E. Albers
*(Advisory Member)
Commissioner of the Superior Court of
California, County of San Francisco*

Hon. Terry B. Friedman
*(Advisory Member)
Judge of the Superior Court of
California, County of Los Angeles*

Hon. Scott L. Kays
*(Advisory Member)
Judge of the Superior Court of
California, County of Solano*

Hon. Nancy Wieben Stock
*(Advisory Member)
Presiding Judge of the Superior Court
of California, County of Orange*

Hon. Sharon J. Waters
*(Advisory Member)
Presiding Judge of the Superior Court
of California, County of Riverside*

Ms. Tamara Lynn Beard
*(Advisory Member)
Executive Officer of the Superior
Court of California, County of
Fresno*

Ms. Deena Fawcett
*(Advisory Member)
Clerk/Administrator of the Court of
Appeal, Third Appellate District*

Mr. Michael M. Roddy
*(Advisory Member)
Executive Officer of the Superior
Court of California, County of San
Diego*

Mr. Alan Slater
*(Advisory Member)
Chief Executive Officer of the Superior
Court of California, County of
Orange*

Ms. Sharol Strickland
*(Advisory Member)
Executive Officer of the Superior
Court of California, County of Butte*

An Introduction to the Judicial Council

The Judicial Council of California is the policymaking body of the California courts, the largest court system in the nation.

Under the leadership of the Chief Justice, and in accordance with article VI, section 6 of the California Constitution, the council is responsible for establishing the direction and priorities for the state's court system and for providing leadership to ensure the quality of justice throughout California.

The Judicial Council holds six to eight meetings a year, during which members address current issues facing the courts and implement strategies to advance the administration of justice. At these meetings, council members consult with their colleagues, the council advisory committees, working groups, and task forces, and, often, with other justice system stakeholders and partners.

Every six years, the Judicial Council, working with branch stakeholders and partners, develops a Long-Range Strategic Plan for the judicial branch. The strategic plan outlines the council's long-range vision for the state's judicial system as well as the strategic goals that will help manifest that vision. A judicial branch operational plan is developed at three-year intervals.

Mission of the Judiciary

The judiciary will, in a fair, accessible, effective, and efficient manner, resolve disputes arising under the law and will interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States.

Mission of the Judicial Council

Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the mission of the judiciary, the Judicial Council sets the direction and provides the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.



Guiding Principles

Consistent with its mission statement, the Judicial Council provides leadership in the judicial branch based on the following principles:

Meeting the needs of the public is the core function:

- Judicial Council decisions are based on the best interests of the public;
- Judicial Council business is conducted with an underlying commitment to equal and timely justice and public access to an independent forum for the resolution of disputes;
- The Judicial Council provides an ongoing program of public education to assist the public in using the courts and to strengthen trust and confidence in the branch.

Protecting the independence of the branch is crucial in a democracy:

- Judicial Council decisions aim to strengthen the branch;
- The Judicial Council plans and advocates for policies, sufficient stable resources, and the infrastructure necessary for the branch to fulfill its mission.

High quality is an expectation throughout the branch:

- Judicial Council decisions facilitate improvement, effectiveness, and efficiency in the branch;
- The Judicial Council supports a comprehensive program of judicial branch education and training in order to maintain a competent, responsive, and ethical judiciary and staff;

- The Judicial Council establishes broad and consistent policies for the operation of the courts as well as appropriate statewide rules of court and court forms.

Accountability is a duty of public service:

- The Judicial Council establishes long- and short-term plans that guide the judicial branch and provide quantitative data on progress;
- The Judicial Council evaluates branch performance to identify needed improvements;
- The Judicial Council continually monitors and evaluates the use of public funds.



Purpose of the Strategic Plan

Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012 states the goals and policies of the California judicial system. Developed under the direction of the Judicial Council, and informed by a wide variety of stakeholders, the goals and

policies articulate the values that are vital to the effective administration of justice in the state. The plan facilitates a branchwide focus on the use of efforts and resources to perpetuate the values of the branch and ensure systemwide improvements. The strategic plan guides the priorities and work of the Judicial Council, its advisory commit-

tees, the trial and appellate courts, and the council's staff agency, the Administrative Office of the Courts.

The plan also includes four appendixes. Appendix A presents a historical timeline of the council's strategic planning efforts. Appendix B provides an overview of strategic planning inputs—including community and public

outreach efforts such as the Judicial Council–sponsored trust and confidence assessments of 2005 and 2006—and outputs. Appendix C presents an overview of the judicial branch's multiyear planning cycle, and Appendix D contains acknowledgments.



Fundamental Issues Facing the California Judicial Branch

The Judicial Council developed its first strategic plan in 1992 in response to the significant and fundamental challenges that faced the state's courts. Since then, the council has regularly reviewed state and national trends, essential court system values, external mandates, stakeholder expectations, and other forces that shape the environment of the courts.

Following are some of the fundamental challenges currently facing California's judicial branch.



Preserving the independence of judicial decisionmaking is fundamental to maintaining the independence of the judicial branch. The branch must resist the pressures brought to bear on judicial officers as they make decisions on controversial legal issues that come before the courts. Likewise, in order to ensure that the independence of the branch is not compromised or eroded over time, the branch's state and local leadership must work together to develop effective long- and short-term strategies for addressing ongoing conflicts and challenges. This includes educating the public about the branch and the role of the courts, as well as listening and responding to public needs, something which is fundamental to strengthening the trust and confidence that underpins the branch's independence.

Independen



*Preserving the Independence of the Judicial
Branch and Judicial Decisionmaking*

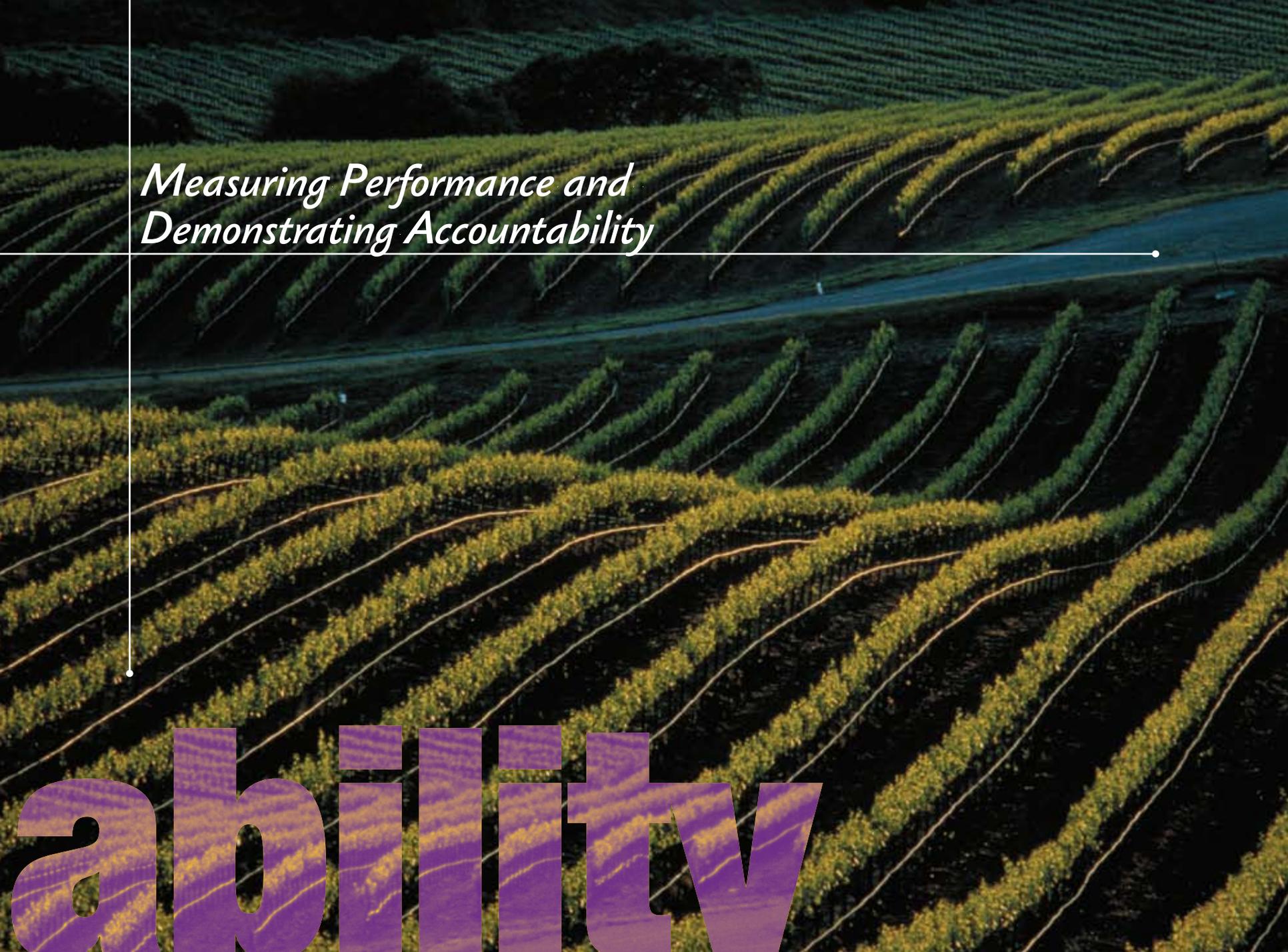
dependence



All public institutions, including the judicial branch, are increasingly challenged to evaluate and be accountable for their performance, and to ensure that public funds are used responsibly and effectively. For the courts, this means developing meaningful and useful measures of performance, collecting and analyzing data on those measures, reporting the results to the public on a regular basis, and implementing changes to maximize efficiency and effectiveness.



Account



*Measuring Performance and
Demonstrating Accountability*

ability



Increasingly, the judicial branch serves a diverse clientele—including clients who are older; more racially, ethnically, and culturally diverse; and more often self-represented. The branch must respond even more effectively to the differing needs of this diverse clientele. For example, there is an increased need for services for non-English speakers and for the elderly and infirm, as well as for cultural sensitivity and culturally appropriate programs and services that yield more effective outcomes. There is also a need to increase the diversity of court staff and judicial officers.

Diverse



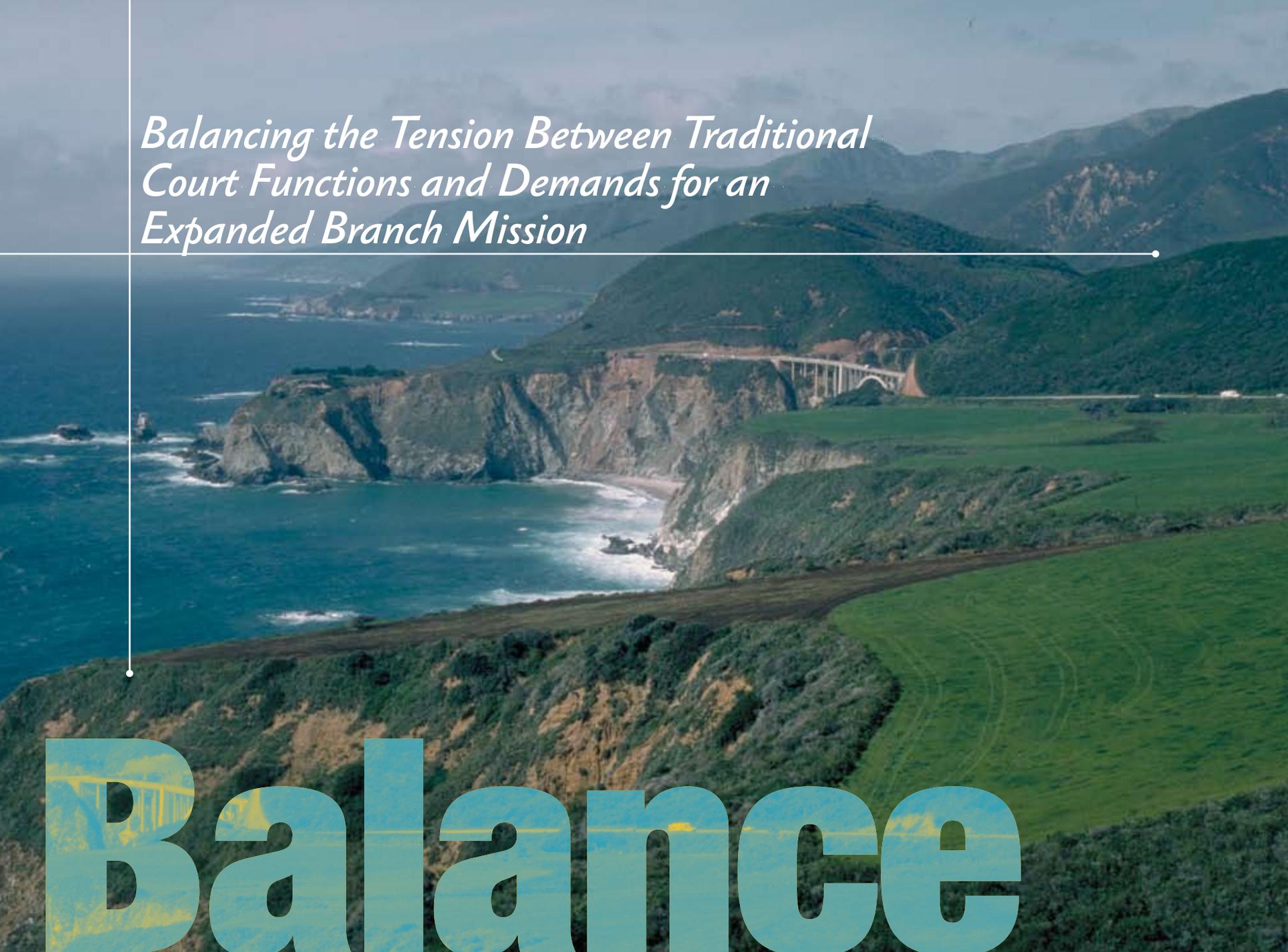
*Responding to the Changing
Makeup and Needs of Court Users*

clientele



Court users increasingly look to the courts to do more than resolve legal issues or dispose of cases. Instead, they expect court decisions to promote effective outcomes that help them resolve underlying problems. These expectations demand innovations in programs and services, including problem-solving and treatment-oriented courts. Many of these approaches, however, are staff intensive, require additional funding, and require judges and court staff to apply different knowledge, skills, and abilities. Finding the right balance—and continuing to implement new innovations and best or promising practices that will yield effective outcomes for litigants—is an ongoing challenge.

Finding

An aerial photograph of a coastal landscape. In the foreground, there are green fields and a dark, sandy beach. The middle ground features a steep, rocky cliffside that meets the ocean. A long, white bridge spans across a gap in the cliffside. In the background, there are more mountains and a hazy sky. The overall scene is a mix of natural beauty and human infrastructure.

*Balancing the Tension Between Traditional
Court Functions and Demands for an
Expanded Branch Mission*

Balance



New scientific and technological developments, such as those in information management, biotechnology, and the life sciences, as well as complex ethical and legal issues arising from those changes, are being brought to the courts. The judicial branch must prepare—through education and innovation—to address the complex, evolving legal issues of the present and the future.

Innova

*Developing the Capacity and Expertise to
Handle the Changing Composition of Cases*

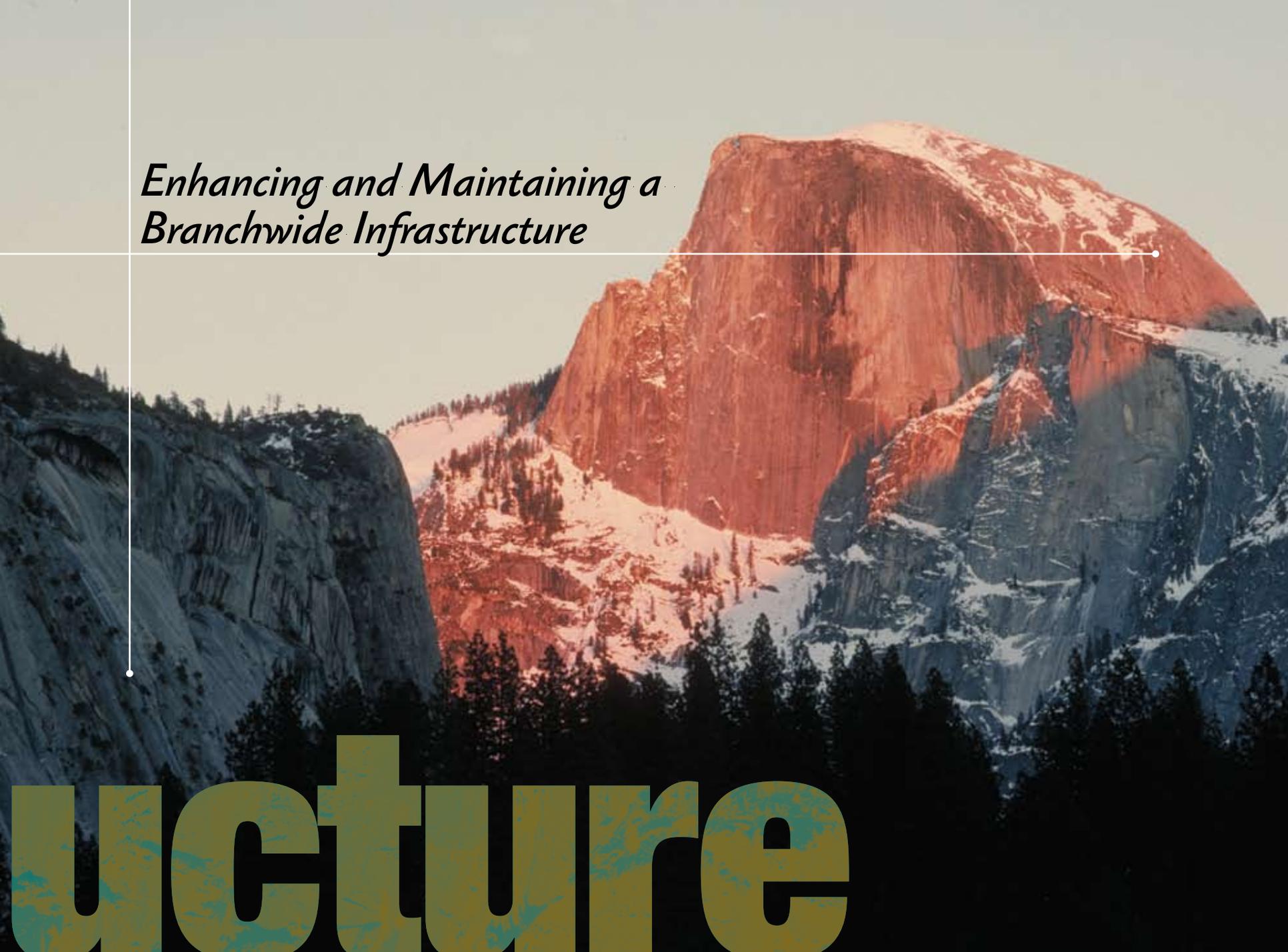
tion



In order for the judicial branch to fulfill its missions and purposes, it must provide an infrastructure that supports and meets public needs and that guarantees business continuity—now and in the future. The resource-intensive challenges of providing safe, functional facilities, branchwide technology, accounting and human resources systems, as well as legal services to meet the needs of the courts will require the branch to work creatively and collaboratively with other branches of government, as well as its justice system partners.



Infrastr



*Enhancing and Maintaining a
Branchwide Infrastructure*

picture



The judicial branch competes with the private sector to attract and retain a high-quality workforce, including managers, executives, and other staff with specific technical skills, as well as entry-level staff. In order to meet this challenge, the branch must become more competitive in the workforce marketplace—in terms of salaries, opportunities for advancement and professional development, desirable working conditions, recognition of advanced education, and satisfying work.

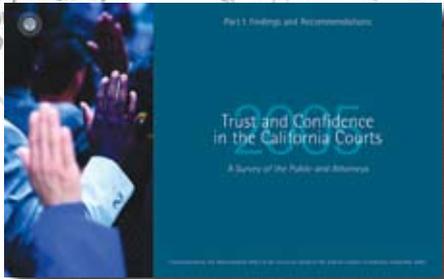
Market

*Recruiting and Retaining a
Highly Qualified, Talented Workforce*

place



JUDICIAL COUNCIL PLANNING MEETING



The Strategic Planning Process

In March 2000 the Judicial Council adopted guidelines for judicial branch planning. These guidelines define the types of state and local judicial branch planning, the roles and responsibilities of the participants, and the time frames for planning activities. The guidelines provide for a review and revision of the council's strategic plan every six years and a review and revision of the branchwide operational plan every three years.

The hallmark of judicial branch planning is a highly inclusive process that synthesizes input from numerous stakeholder sources to formulate long-range strategic goals and policies, which are then articulated in the strategic plan for California's judicial branch. In turn, the goals and policies—which are or will be pursued to make progress toward achieving the plan's goals—guide a variety of implementation activities.

Stakeholder participants providing input for *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*, include Californians from all walks of life, as well as the leadership of numerous justice system partners, some of which are listed in the following chart.

Stakeholder Group	Input Process	Approximate Number of Participants
Members of the public and California attorneys	Phase I (2005) of the <i>Trust and Confidence in the California Courts: A Survey of the Public and Attorneys</i> assessment	<ul style="list-style-type: none"> 2,400 members of the public 500 practicing attorneys
Members of the public with direct court experience; judicial officers; court administrators; community leaders	Phase II (2006) of the trust and confidence assessment, drawing on court user, court administrator, and judicial officer focus groups and on stakeholder interviews	<ul style="list-style-type: none"> 180–190 (in public focus groups) 60–65 (in judicial officer focus groups) 25 (in court administrator focus groups) 30 (in individual interviews; branch and community leaders)
Superior courts	Local court operational plans informed by community input submitted for review and synthesis	<ul style="list-style-type: none"> 90% of the courts (2005) 83% of the courts (2006)
Judicial Council of California	Recommended plan priorities and provisions; synthesized stakeholder input from other sources	The 28 members of the policymaking body of the California courts
Judicial Council advisory committees	Recommended plan priorities and provisions based on specific areas of legal and programmatic expertise	16 advisory committees (comprising approximately 160 judicial system leaders)
Executive Team, Administrative Office of the Courts	Recommended plan provisions and priorities based on specific areas of legal and administrative expertise	Division directors serving in specific areas of legal and administrative expertise
State Bar leadership	Recommended plan priorities and provisions	Senior executive team, Board of Governors, commissions
Leadership teams, other justice system partners	Recommended plan priorities and provisions	<ul style="list-style-type: none"> National Center for State Courts Mexican American Legal Defense and Educational Fund

Judicial Branch Goals



Access, Fairness, and Diversity

California's courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California's judicial branch will reflect the diversity of the state's residents.



Independence and Accountability

The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule

of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.



Modernization of Management and Administration

Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.



Quality of Justice and Service to the Public

The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court user needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.



Education for Branchwide Professional Excellence

High-quality education and professional development will be provided to enhance the ability of all individuals serving in

the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.



Branchwide Infrastructure for Service Excellence

The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.



Goal |

Access, Fairness, and Diversity

Goal Statement

*(the goal for
addressing branch
challenges)*

California’s courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California’s judicial branch will reflect the diversity of the state’s residents.

“The strongest predictor of the public’s confidence in the courts is their sense that decisions have been made through procedures and processes that are fair and understandable.”

—Justice Richard D. Huffman





Goal |

Access, Fairness, and Diversity

Issue Description *(the challenges)*

California’s judicial branch serves an increasingly diverse population. The branch must work to remove all barriers to access and fairness by being responsive to the state’s cultural, racial, socioeconomic, linguistic, physical, and age diversities.

Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services.

Finding effective strategies for removing barriers in all case types will require a continued branchwide commitment to innovation, to excellence in public service,

and to strong leadership at local and state levels.

In addition, in order to serve the state of California effectively, the judicial branch should reflect the diversity of the state.

The judicial branch must continue efforts to enhance public trust and confidence by working with other branches of government toward a judicial branch that mirrors the state’s diversity.



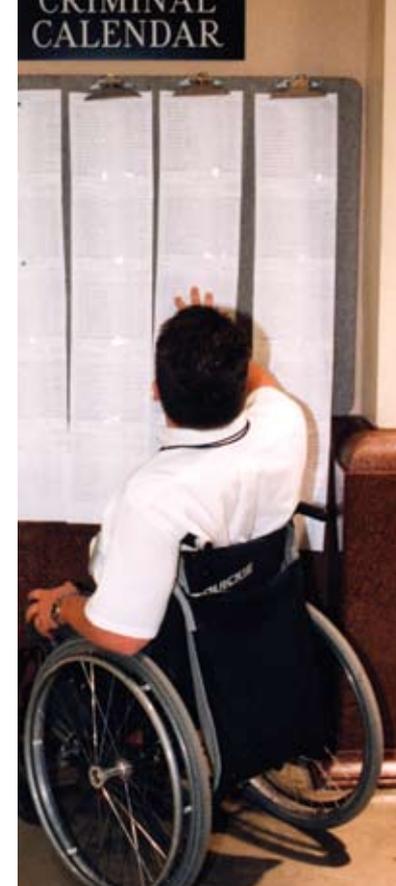


Goal |

Access, Fairness, and Diversity

Policies

1. Identify and work to eliminate all barriers to access.
2. Broaden and facilitate access to, understanding of, and trust and confidence in the judicial branch and court-connected programs and services for all persons and entities served by the judicial branch.
3. Work to prevent bias, and the appearance of bias, in all parts of the judicial branch.
4. Work to achieve procedural fairness in all types of cases.
5. Work with justice system partners to increase access to legal assistance.
6. Collaborate with other branches of government and justice system partners to identify, recruit, and retain highly qualified appellate court justices, trial court judges, commissioners, referees, and other members of the judicial branch workforce, who reflect the state's diversity.
7. Collaborate with law schools, the State Bar, local bar associations, and specialty bars to achieve greater diversity in the legal profession.
8. Continue to promote broad diversity among the membership of the Judicial Council and its advisory committees, task forces, and working groups in order to ensure diverse perspectives and an inclusive environment.





Goal |

Access,
Fairness,
and
Diversity

Policies

9. Implement, enhance, and expand multilingual and culturally responsive programs, including educational programming, self-help centers, and interpreter services.
10. Ensure that judicial branch facilities are accessible to all court users and accommodate the needs of persons with disabilities.
11. Increase public access to court information and services.

“We must cope with the reality that every year more than 100 languages are spoken in California’s courts, sometimes interpreted by the young children of non-English-speaking parties.”

—Chief Justice Ronald M. George





Goal II

Independence and Accountability

Goal Statement
*(the goal for
addressing branch
challenges)*

The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability

for its use of public resources, and adherence to its statutory and constitutional mandates.

“Our system of government evolved out of and is nurtured by devotion to the rule of law. Every day, we enjoy the benefits of living in a state and nation governed by the rule of law.”

—Chief Justice Ronald M. George



Independence and Accountability

Issue Description *(the challenges)*

California's judicial branch is an independent, separate, and co-equal branch of state government charged with preserving the rule of law, upholding Californian's constitutional rights, and ensuring fair and impartial courts. In order to discharge these important constitutional responsibilities, the branch must maintain its independence and resist pressures that would compromise the independence of judicial decisionmaking. Increasingly, judicial officers must contend with a variety of challenges as they make legal decisions on issues that are charged with public controversy.

In serving the people of California, the judicial branch must also exercise its constitutional and statutory authority and responsibility to plan for, direct, monitor, and support the business of the branch and to account to the public for the branch's performance. The judicial branch must develop meaningful system performance standards, measure performance against the standards, analyze data on those measures, report the results to constituents on a regular basis, and support changes to increase efficiency and effectiveness.

These responsibilities and challenges must be met with strong branch leadership and effective strategies for preserving the status of the judicial branch as a separate, independent, co-equal branch of government.





Independence and Accountability

Policies

A. Independence of Judicial Decisionmaking

1. Preserve the ability of judicial officers to exercise appropriate discretion and independent decisionmaking in accordance with the law in their individual courtrooms and in handling their assigned cases. Provide coordination and assistance as necessary to assist judicial officers in exercising their discretionary responsibilities.
2. Protect the ability of judges to decide legal disputes according to the constitution, the law, and legal precedent without fear of reprisal.
3. Support consistent and effective state and local strategies for preserving the independence of judicial decisionmaking.

B. Branch Independence and Accountability

1. Exercise the constitutional and statutory authority of the judiciary to plan for and manage its funding, personnel, resources, and records and to practice independent rule making. Advocate for additional constitutional and statutory authority that will better enable the branch to manage its fiscal and operational responsibilities.





Independence
and
Accountability

Policies

2. Secure and account for sufficient judicial branch resources—including additional judges—to ensure accessible, safe, efficient, and effective services to the public.
3. Allocate resources in a transparent and fair manner that promotes efficiency and effectiveness in the administration of justice, supports the strategic goals of the judicial branch, promotes innovation, and provides for effective and consistent court operations.
4. Establish fiscal and operational accountability standards for the judicial branch to ensure the achievement of and adherence to these standards throughout the branch.
5. Establish improved branchwide instruments for reporting to the public and other branches of government on the judicial branch’s use of public resources.
6. Support consistent and effective state and local strategies for preserving the independence of the judicial branch.
7. Promote a basic understanding of the courts, the judicial branch, and issues of branchwide concern to other government branches and representatives, legal and educational communities, community groups, and the general public.
8. Support a strong local court governance structure, and effective judicial and administrative leadership, throughout the state.
9. Work collaboratively with state and local executive and legislative branches, as well as the legal community, to promote and protect the independence of the judicial branch.

Modernization of Management and Administration

Goal Statement

(the goal for
addressing branch
challenges)

Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.

“In many parts of the state, the great progress made by the courts during the last decade in reducing the time for processing cases has been severely undercut by the lack of a sufficient number of judges to handle the cases that are filed.”

—Chief Justice Ronald M. George





Modernization of Management and Administration

Issue Description *(the challenges)*

The judicial branch is responsible for providing a court system that resolves disputes in a just and timely manner and operates efficiently and effectively.

Some of the pressures affecting the branch's ability to do so are increased competition for limited state resources, expanding workloads, greater number of cases and resulting backlogs, increased case complexity, and the courts' need to respond to the information requirements of many entities.

The branch also faces the difficult work of unifying and consolidating the judicial administration policies, practices, and systems that are more efficiently coordinated on a statewide basis, while preserving and facilitating the ability of courts to develop and maintain efficient local practices.



The effective administration of justice requires deliberate attention to recruiting, developing, and retaining high-quality staff at all levels, as well as to developing and implementing appropriate accountability and compliance measures.

The judicial branch must also implement and sustain innovative practices and ensure that court environments are safe and secure.



Policies

Modernization
of Management
and
Administration

A. Trial and Appellate Court Management

1. Improve operations through innovation, technology, and the sharing of effective practices.

“The tremendous leadership of our courts in implementing major court reforms, such as court unification, the one-day or one-trial jury system, self-help centers, and plain-English jury instructions, has had a major, positive impact on the public’s confidence in the courts over the last decade.”

—Administrative Director William C. Vickrey

2. Ensure that data collected by the judicial branch are complete, accurate, and current and provide a sound basis for policy decisions, resource allocations, and reports to other branches of government, law and justice system partners, and the public.
3. Attract, employ, and retain a judicial branch workforce that is highly qualified.
4. Foster a work environment that recognizes employees’ value and promotes professional growth, development, and employee well-being.





Modernization of Management and Administration

Policies

5. Work to ensure the safety and security of the work environment, and develop emergency and continuity of business plans for times of crisis or natural disaster.
6. Manage and coordinate cases effectively by sharing appropriate information between and within the courts and other justice system partners.
7. Promote compliance with all court orders and federal and state laws, including the collection of fines, fees, and forfeitures.

B. Trial and Appellate Case Management

1. Develop and promote innovative and effective practices to foster the fair, timely, and efficient processing and resolution of all cases.
2. Ensure that statewide policies, rules of court, standards of judicial administration, and court forms promote the fair, timely, effective, and efficient processing of cases and make court procedures easier to understand.





Quality of Justice and Service to the Public

Goal Statement
(the goal for addressing branch challenges)

The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court users' needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.

“The number of self-represented litigants continues to increase, and their needs will, in my opinion, pose the single most challenging issue for the courts in the coming decade. In some counties, litigants appear without an attorney in 85 to 90 percent of family law and landlord/tenant matters.”

—Chief Justice Ronald M. George





Quality of Justice and Service to the Public

Issue Description *(the challenges)*

California's judicial branch is committed to providing quality justice to an increasingly diverse society. Many court users are poor; some are not fluent in English. Many more are unfamiliar with the scope, processes, and procedures of the American legal system.

Increasingly, court users and the public look to the courts to do more than resolve legal matters and dispose of cases—they expect courts to offer programs and services that will help to resolve underlying problems.

The courts must also resolve disputes in accordance with the law in a fair and timely manner while remaining responsive to the needs of diverse court users.

In addition, the judicial branch faces numerous emerging trends, including new, complex legal and ethical issues, that may impact its ability to deliver quality justice and service.

Key to meeting these challenges and maintaining the public's trust and confidence is ensuring that court procedures and processes are fair and understandable. This requires a continued branchwide commitment to excellence in public service and to education and training.

Employing community outreach and other means to increase the public's basic understanding of the courts and the judicial branch must also remain a high priority.

To foster and retain the respect, trust, and confidence of its diverse constituencies, the judicial branch must continue to anticipate and respond to these and other challenges.



Policies

Quality of Justice and Service to the Public

1. Maintain a branchwide culture that fosters excellence in public service by building strong working relationships with communities, law and justice system partners, and other state and local leaders.
2. Collect, evaluate, and respond to public input about court programs and services; provide reports that show how court programs and services address local and branchwide strategic goals.
3. Provide services that meet the needs of all court users and that promote cultural sensitivity and a better understanding of court orders, procedures, and processes.
4. Promote the use of innovative and effective problem-solving programs and practices that are consistent with and support the mission of the judicial branch.
5. Provide necessary resources to all courts—particularly high-volume courts such as traffic, small claims, juvenile dependency, and family courts—and support the branchwide implementation of effective practices to enhance procedural fairness and reduce the time and expense of court proceedings.
6. Support and expand the use of successful dispute resolution programs.





Policies

Quality of Justice and Service to the Public

7. Improve the quality of jury service, including compliance with summonses and a heightened awareness of the civic responsibility for jury service; work to achieve a fair cross-section of the community in jury venires.
8. Collaborate with justice system partners and community stakeholders to identify and promote programs that further the interests of all court users—including children and families.

“California courts receive 9 million case filings each year; and each year nearly 10 million people are summoned to jury service. So improving our understanding of how court users perceive the courts and how the courts can best respond to their needs makes good common as well as business sense.”

—Justice Richard D. Huffman





Goal V

Education for Branchwide Professional Excellence

Goal Statement
*(the goal for
addressing branch
challenges)*

High-quality education and professional development will be provided to enhance the ability of all individuals serving in the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.





Education for Branchwide Professional Excellence

Issue Description *(the challenges)*

Professional excellence is the standard and expectation for all judicial officers and court personnel throughout California’s judicial branch.

The judicial branch must provide ongoing professional development, education, and training to address many concerns, including (1) the increasing complexity of the law and court procedures, (2) emerging legal and ethical issues, (3) new and emerging practices in treating behavioral disorders and addictions, (4) new technologies, (5) accelerated management and executive development programs needed to complement succession planning efforts, (6) the importance of procedural fairness in all court operations and interactions with the public, and (7) new management, operational, and service-level expectations.

Additionally, the challenges of a resource-competitive environment mean the branch must actively pursue partnerships and other innovative ways and means to provide professional development, education, and training opportunities for all members of the branch.

Maintaining branchwide professional excellence will promote public trust and confidence in the judicial branch.

“We need to assume responsibility for educating the public about the general process that they will undergo when they come to the courts, whether as a witness, a party to a case, an observer, or a juror.”

—Administrative Director William C. Vickrey



Policies

Education for Branchwide Professional Excellence

1. Provide access for all judicial branch personnel to essential, relevant education and professional development opportunities at all stages of their careers.
2. Maintain and enhance branchwide professional development by continually identifying new subject matter experts and developing new qualified faculty, educational resources, and service-delivery approaches.
3. Create and maintain education-based partnerships between judicial branch entities and institutes of higher learning, nonprofits, and other professional organizations to maximize shared use of educational resources and to ensure branchwide access to comprehensive, relevant academic content.
4. Increase access for judicial branch personnel to continuing education opportunities; enhance local courts' educational resources and environments.
5. Promote public trust and confidence in the judicial branch by establishing and maintaining high standards of professionalism, ethics, and performance for judicial branch personnel.





Education for
Branchwide
Professional
Excellence

“Dramatic changes in the operations of California’s court system have occurred during the last decade. Accompanying these fundamental structural changes—and to a large degree made possible by them—are many innovations at both the statewide and local level that have enabled us to better perform our mission of providing fair and accessible justice to the people of California. . . . To assist in these endeavors, we have expanded

judicial and staff education, uniform rules and procedures, and enhanced interpreter services—a necessity, given the more than 100 languages being spoken in California’s courts.”

—Chief Justice Ronald M. George



Branchwide Infrastructure for Service Excellence

Goal Statement
*(the goal for
addressing branch
challenges)*

The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.

“Strengthening the physical foundation of our judicial system is more than a metaphor. Courthouses are as vital a part of California’s infrastructure as bridges and highways. It is time to adequately fund this fundamental component of government infrastructure. Public safety and the interests of 36 million Californians require it.”

—Chief Justice Ronald M. George



Branchwide
Infrastructure
for Service
Excellence

Issue
Description
(the challenges)

For the judicial branch to fulfill its mission and purpose, it must have a sound infrastructure that supports and meets its needs and ensures business continuity.

Specifically, the judicial branch must meet the challenge of providing the necessary technological, human resources, fiscal, and facilities infrastructure, as well as other relevant and critical internal functions, to provide the highest quality of justice and service to the people of California.

Infrastructure improvements needed to better serve the public include (1) acquisition, construction, renovation, and maintenance of adequate facilities; (2) greater technological access and integration; (3) coordinated and effective case management systems; (4) systems for measuring court performance and accounting for the use of resources;

(5) systems for sharing appropriate information throughout the branch and with other partners; (6) human resource systems to facilitate recruiting and retaining high-quality staff; and (7) staffing to provide legal assistance to the courts.





Policies

Branchwide Infrastructure for Service Excellence

A. Facilities Infrastructure

1. Provide and maintain safe, dignified, and fully functional facilities for conducting court business.
2. Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.

B. Technology Infrastructure

1. Encourage and sustain innovation in the use of new information-sharing technologies.
2. Establish a branchwide technology infrastructure that provides the hardware, software, telecommunications, and technology management systems necessary to meet the case management, information-sharing, financial, human resources, education, and administrative technology needs of the judicial branch and the public.
3. Develop and maintain technology strategic plans for the judicial branch that are coordinated with the branch's technology initiatives and address needs such as business continuity planning and meaningful performance standards.





Branchwide
Infrastructure
for Service
Excellence

Policies

C. Administrative Infrastructure

1. Provide a high-quality administrative legal infrastructure to provide consistent, comprehensive legal support and counsel to the courts.
2. Provide a high-quality administrative human resources infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.
3. Provide a high-quality administrative financial infrastructure to support the courts and to promote standardized functions and services and the implementation of innovations and effective practices.



“The infrastructure strongly influences our ability to operate effectively and efficiently, to be transparent to the public and accountable to the other two branches of government and the public.”

—Administrative Director William C. Vickrey



History of Judicial Council Strategic Planning

Years and Milestones

2006 The Judicial Council approves a major reorganization of the California Rules of Court and Standards of Judicial Administration. The change, effective January 1, 2007, involves a major restructuring, reordering, and renumbering of the rules and standards to make them clearer, better organized, and easier to read.

The Judicial Council launches phase II of the assessment of public trust and confidence in the California courts in order to more fully explore key findings revealed during the phase I survey.

The Judicial Council approves new standards

to improve collections of fees, fines, and forfeitures by the trial courts. The new standards will capture funds to be used for improving public services provided by the state, the trial courts, and county governments.

2005 The Judicial Council collaborates with the State Bar and the California Judges Association on a proposal to amend article VI of the California Constitution, which governs the workings of the judicial branch. The proposed amendments are an effort to transform the judicial branch into a truly separate and co-equal branch of government.

The Judicial Council conducts and releases *Trust and Confidence in the California Courts (Phase I): A Survey of the Public and Attorneys*, which shows a significant increase in the number of people having a positive attitude about California courts.

The Judicial Council, in collaboration with other branches of government, begins to reform the trial court budgeting process, so that trial court budgets are adjusted automatically each year using the same percentage change applied to other state entities, such as the Legislature.

2004 The California judicial branch takes responsibility for the first of 451 court facilities previously under county

jurisdiction, laying the groundwork for real independence and accountability for branch operations and resources.

The Judicial Council approves a statewide plan to increase court access for self-represented litigants. The council also adopts uniform standards and guidelines for trial court security.

2003 The judicial branch rolls out a new trial court financing system, CARS (the Court Accounting and Reporting System).

The Judicial Council initiates to standardize electronic filing and service of documents in state trial courts, and to allow the payment of filing fees online with a credit card, takes effect.

2002 The Trial Court Facilities Act of 2002 is approved by the Legislature, giving the judicial branch new opportunities to improve court infrastructure and administration, guide the management of branch resources, and help ensure a court system uniformly accessible to the public.

The state's first official juror orientation video, *Ideals Made Real: The Jury*, debuts, along with informational brochures, in all California jury assembly rooms during Juror Appreciation Week (May 13–18, 2002).

2001 The Task Force on Court Facilities releases its final report, which proposes that the state assume responsibility for all 451 trial court facilities.

The Administrative Office of the Courts (AOC) launches the most comprehensive online resource of court information ever assembled (*www.courtinfo.ca.gov/selfhelp*) to serve the estimated 4.3 million Californians who go to court without attorneys. A Spanish-language version of this site is launched in 2003.

The Judicial Council approves more than 30 new and amended rules of court, forms, and standards of judicial administration relating to family and juvenile law. Among them, rule 1438* is adopted to ensure that California's estimated 90,000 children involved

*After January 1, 2007, when the council-approved rules reorganization took effect, this rule was renumbered as 5.660.

in dependency proceedings annually receive adequate legal representation. The AOC drafts a new protocol to guide the handling of domestic violence cases, and the Judicial Council approves the translation of domestic violence forms into four languages.

2000 The Judicial Council adopts the first conceptual framework and guidelines to institutionalize and integrate state and local planning activities. The council also adopts its first multiyear operational plan.

1999 The Judicial Council updates the strategic plan to reflect the changing responsibilities resulting from major legislative initiatives, such as state funding of

trial courts and trial court unification.

1998 The Judicial Council sponsors the statewide conference Courts and Their Communities: Local Planning and the Renewal of Public Trust and Confidence. This conference begins California's Community-Focused Court Planning Initiative.

1997 The Judicial Council sets priorities for strategic plan implementation, utilizing information from a national survey that assessed trends affecting courts. The survey was administered to the nation's state court administrators and to California's trial and appellate court administrators. The strategic plan document, *Leading Justice Into the Future*, is

published for the first time.

1996 The Judicial Council identifies four fundamental issues driving the need for change in the court system: (1) the role of courts in society, (2) independence and accountability, (3) governance, and (4) interactions with the public.

1995 The Judicial Council focuses on its role as an effective governing body and conducts its first review of advisory committee activities.

1994 The Judicial Council solicits comments on *Justice in the Balance—2020* statewide; this feedback results in many revisions to the council's strategic plan.

1993 The Commission on the Future of the California Courts issues its final report, *Justice in the Balance—2020*.

1992 The Judicial Council adopts the 1992 strategic plan and reorganization plan. The strategic plan outlines the first mission statement, guiding principles, goals, objectives, and strategies. The reorganization plan creates a Judicial Council committee structure to promote broad-based participation in the governance of the state's judicial system.

Overview of Strategic Planning Inputs and Outputs

Strategic Planning Inputs

Inputs to the judicial branch’s strategic planning efforts identify both the trends and issues affecting the judicial system and the system’s consequent needs. The sources of input are described below.

Public Outreach: Public Trust and Confidence Assessments, Phases I and II

Beginning in 2005, the Judicial Council undertook an ambitious statewide survey of the public and of practicing attorneys to determine current levels of trust and confidence in the

state courts and to obtain information concerning expectations and performance of the state courts. Conducted for the council by the National Center for State Courts (NCSC; Williamsburg, Virginia, office) and the Public Research Institute at San Francisco State University, the 2005 survey, phase I of the assessment, reached over 2,400 members of the public and 500 practicing attorneys.

Building on the important information obtained in phase I, in 2006 the council embarked on phase II of the assessment by delving more deeply into the key issues raised by

the public and by practicing attorneys. Using focus groups and other research methodology, the council’s researchers—Public Agenda (New York City) and Doble Research Associates, Inc. (Englewood Cliffs, New Jersey)—sought direct information from court users to yield specific, effective strategies for addressing court user concerns.

Input received in phase I and phase II has informed and shaped the goals and policy direction statements of *Justice in Focus: The Strategic Plan for California’s Judicial Branch, 2006–2012*.

Trial Court Plans

Trial court planning is a formal method of soliciting “bottom-up” input to the state-level strategic plan. The trial courts’ plans, which incorporate the input of individual communities, contribute information about local issues, concerns, and opportunities to branch-wide strategic planning.

Advisory Committee Plans

As the policymaking body for the California courts, the Judicial Council relies on its advisory committees to keep apprised of issues and concerns confronting the judiciary—and of appropriate solutions and

responses. Input from the committees is received in proposals and recommendations for improving the administration of justice within specific areas of the law. Committee expertise also informs the priorities and policy direction statements of the branchwide strategic plan.

Trends Analysis

Staff of the Administrative Office of the Courts (AOC) conduct analyses of external and internal trends and outcomes. Trends analysis includes the study of national and state economic, social, political, and technological trends that are likely to affect the

administration of justice. This analysis, carefully reviewed by the Judicial Council, also informs the priorities and policy direction statements of the branchwide strategic plan.

Strategic Planning Outputs

Outputs of the judicial branch strategic plan focus on the use of resources to implement improvements in the administration of justice. The plan guides the programmatic priorities and other implementation efforts of the Judicial Council, its advisory committees, the trial and appellate courts, and the

Administrative Office of the Courts.

Outputs shaped by the strategic plan include:

- Statewide budget policies and priorities;
- Statewide policy for the development of justice system services and programs;
- Legislative priorities and agendas; and
- Rule and form policy directions that flow from programmatic policy decisions.



Overview of Multiyear Planning Cycle

In March 2000 the Judicial Council adopted a coordinated multiyear cycle for judicial branch planning. This cycle assumes a review and revision of both branchwide and local court strategic plans every six years and a review and revision of branchwide and local court operational plans every three years. The timelines for branchwide and local court plans are staggered to ensure the relational aspect of the judicial branch’s planning process.

Key components of the multiyear planning cycle are described below.

Six-year Strategic Plan

The development of the judicial branch strategic plan initiates the coordinated multiyear planning cycle. The judicial branch strategic plan defines the long-term mission, long-range issues—and the goals and policies for addressing those issues—*for the entire branch* over the next six years. Trial court strategic plans support the achievement of branchwide goals and policies *and* identify other goals and policies for addressing issues that affect local constituencies.

Three-year Operational Plan

An operational plan is a “big picture” three-year agenda whose purpose is to link strategic goals to day-to-day operations. Building on the strategic plan, it includes the identification of the following:

- Short-term, high-priority operational objectives; and
- The desired outcomes of accomplishing those objectives.

The Judicial Council, working with justice system partners and other stakeholders, will undertake development of an operational

plan—to implement the goals and policy directions of the strategic plan—in early 2007.

Annual Plan Review and Updating

The intervening years of the six-year cycle give the Judicial Council and the trial courts an opportunity to review the progress made in implementing their respective, related plans and to revise the plans as appropriate.

Acknowledgments

The Judicial Council of California undertook development of *Justice in Focus: The Strategic Plan for California’s Judicial Branch, 2006–2012* in collaboration with many judicial branch stakeholders, each of whom provided important insights and data to inform the council’s strategic priority-setting activities. The council wishes to express its appreciation to the people of California—to the nearly 2,600 members of the public who shared their experiences and their thoughtful opinions about how California’s courts might improve the delivery of justice. Special thanks

are due the State Bar of California, its foundation, and the 500 attorneys who participated in the council’s 2005 public trust and confidence assessment, for their continued support.

Grateful acknowledgments are due to the following institutions and research professionals whose analysis has informed the council’s decisionmaking activities:

- National Center for State Courts (Williamsburg, Virginia, office), David B. Rottman, Ph.D., Principal Research Consultant, *Trust and Confidence in the California Courts*,

Part I: Findings and Recommendations (Assessment Phase I, 2005)

- Public Research Institute, San Francisco State University, John Rogers, Ph.D. and Diane Godard, M.A., Statistical Analysts, *Trust and Confidence in the California Courts, Part II: Executive Summary of Methodology with Survey Instruments* (Assessment Phase I, 2005)
- Public Agenda (New York City), Ruth Wooden, President and Ana Maria Arumi, Director of Research, *Trust and Confidence in the California Courts*:

Public Court Users and Judicial Branch Members Talk About the California Courts (Assessment Phase II, 2006)

- Doble Research Associates (Englewood Cliffs, New Jersey), John Doble, President, *Trust and Confidence in the California Courts: Public Court Users and Judicial Branch Members Talk About the California Courts* (Assessment Phase II, 2006)
- Policy Studies Inc. (Denver), Brenda J. Wagenknecht-Ivey, Ph.D. and Steven Weller, J.D., Ph.D., Principal Research

Consultants, *Trends and Stakeholder Data Synthesis Report: Policy Implications and Recommendations* (2006)

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The council also gratefully acknowledges the contributions made by staff members at the Administrative Office of the Courts, especially those in the AOC's Executive Office Programs Division, Planning and Effective Programs Unit, whose efforts have supported, and continue to support, state and local strategic planning efforts.

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OF CALIFORNIA

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the **operational plan** for
california's **judicial** branch
2008–2011



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2008–2011



JUDICIAL COUNCIL
OF CALIFORNIA

The Operational Plan for California's Judicial Branch, 2008–2011

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For additional information, please contact:

Dianne Bolotte, Assistant Director
Executive Office Programs Division
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, California 94102-3688
dianne.bolotte@jud.ca.gov
415-865-7633

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“Embracing the vast and rich diversity of our state—
and viewing it as a resource and not a problem—
can only strengthen our legal system.”

—*Chief Justice Ronald M. George*

Dear Friend of the California Courts:

On behalf of the Judicial Council of California, we are pleased to present this operational plan for achieving the goals set for California's judicial branch by the council in collaboration with justice system partners.

Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012 (adopted December 1, 2006) established six overarching strategic goals. This operational plan sets forth specific objectives and desired outcomes for achieving those goals during the next three years. Intended to be a living document to direct and inform the work of the California courts, the Judicial Council, its advisory committees and task forces, and the Administrative Office of the Courts, the operational plan is not an exhaustive inventory of activities to be performed at the state level. Rather, it presents a three-year, branchwide agenda of priority results to be achieved. The plan will undergo regular assessment to ensure that it remains appropriate to changing times and priorities.

We welcome your contributions in our ongoing planning process, as well as your participation in achieving our common goals.

Sincerely,



Ronald M. George
*Chief Justice of California and
Chair of the Judicial Council*



William C. Vickrey
Administrative Director of the Courts



Ronald M. George



William C. Vickrey



About the Judicial Council of California

The 28-member Judicial Council is the policymaking body of the California courts, the largest court system in the nation. The Judicial Council is composed of 28 members:

- The Chief Justice;
- 14 judges appointed by the Chief Justice (1 associate justice of the Supreme Court, 3 justices of the Courts of Appeal, and 10 trial court judges);
- 4 attorney members appointed by the State Bar Board of Governors;
- 1 member from each house of the Legislature; and
- 7 advisory members who include court executives or administrators and the president of the California Judges Association.

This roster includes all council members, present and past, who participated in the development of *The Operational Plan for California's Judicial Branch, 2008–2011*.



Hon. Ronald M. George
*Chief Justice of California and Chair of the
Judicial Council*

Hon. Marvin R. Baxter
*Vice-Chair of the Judicial Council and Associate
Justice of the Supreme Court*

Hon. Candace D. Cooper
*Presiding Justice of the Court of Appeal, Second
Appellate District, Division Eight*

Hon. Brad R. Hill
*Associate Justice of the Court of Appeal, Fifth
Appellate District*

Hon. Richard D. Huffman
*Associate Justice of the Court of Appeal, Fourth
Appellate District, Division One*

Hon. Eileen C. Moore
*Associate Justice of the Court of Appeal, Fourth
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Attorney at Law

Mr. Anthony P. Capozzi
Attorney at Law

Mr. Thomas V. Girardi
Attorney at Law

Ms. Barbara J. Parker
Chief Assistant City Attorney, City of Oakland

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Commissioner of the Superior Court of
California, County of San Francisco*

Hon. Joseph Dunn
*(Advisory Member)
Chief Executive Officer, California Medical
Association*



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Presiding Judge of the Superior Court of
California, County of Plumas

Hon. Scott L. Kays
(Advisory Member)
Judge of the Superior Court of California,
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Hon. Nancy Wieben Stock
(Advisory Member)
Presiding Judge of the Superior Court of
California, County of Orange

Ms. Tamara Lynn Beard
(Advisory Member)
Executive Officer of the Superior Court of
California, County of Fresno

Ms. Deena Fawcett
(Advisory Member)
Clerk/Administrator of the Court of Appeal,
Third Appellate District

Mr. Michael D. Planet
(Advisory Member)
Executive Officer of the Superior Court of
California, County of Ventura

Mr. Michael M. Roddy
(Advisory Member)
Executive Officer of the Superior Court of
California, County of San Diego

Ms. Sharol H. Strickland
(Advisory Member)
Executive Officer of the Superior Court of
California, County of Butte



Purpose of the Operational Plan

The operational plan articulates high-priority, state-level operational **OBJECTIVES**, or *courses of action*, for achieving the branchwide strategic goals that are vital to the effective administration of justice in California. Those core goals, as set forth in *Justice in Focus: The Strategic Plan for California's Judicial Branch*, adopted in 2006, are:

-  Access, Fairness, and Diversity
-  Independence and Accountability
-  Modernization of Management and Administration
-  Quality of Justice and Service to the Public
-  Education for Branchwide Professional Excellence
-  Branchwide Infrastructure for Service Excellence



Also set forth in the operational plan are **DESIRED OUTCOMES**, or *short-term deliverables*, that result from the wide variety of projects, initiatives, and other endeavors undertaken by the council, its advisory committees and task forces, the courts, the Administrative Office of the Courts, and other justice system partners.

The operational plan is not an exhaustive inventory of activities to be performed at the state level but rather a **SHORT-TERM AGENDA OF RESULTS TO BE COLLABORATIVELY ACHIEVED** by a wide array of judicial branch stakeholders. The plan's 29 objectives and 84 desired outcomes provide a **ROAD MAP TO STEER THE EFFORTS AND RESOURCES** of the judicial branch as it strives to ensure systemwide improvements.



The Operational Planning Process

The hallmark of judicial branch operational planning is a highly inclusive process that draws input from a wide variety of stakeholders, each of whom will participate in implementation activities to ensure that core branch goals and values are achieved.

Development of the operational plan began in January 2007; stakeholders participating in the process are listed below.

- Judicial Council members
- Judicial Council advisory committees
- Judicial Council task forces
- All presiding justices and judges
- All superior court executive officers and appellate court administrators
- The California trial courts (via local priorities submitted on the Serranus Trial Court Planning Web site)
- The Executive Team of the Administrative Office of the Courts (regional administrative directors and division directors)
- The State Bar of California
- The public (via the Judicial Council's public trust and confidence assessments)

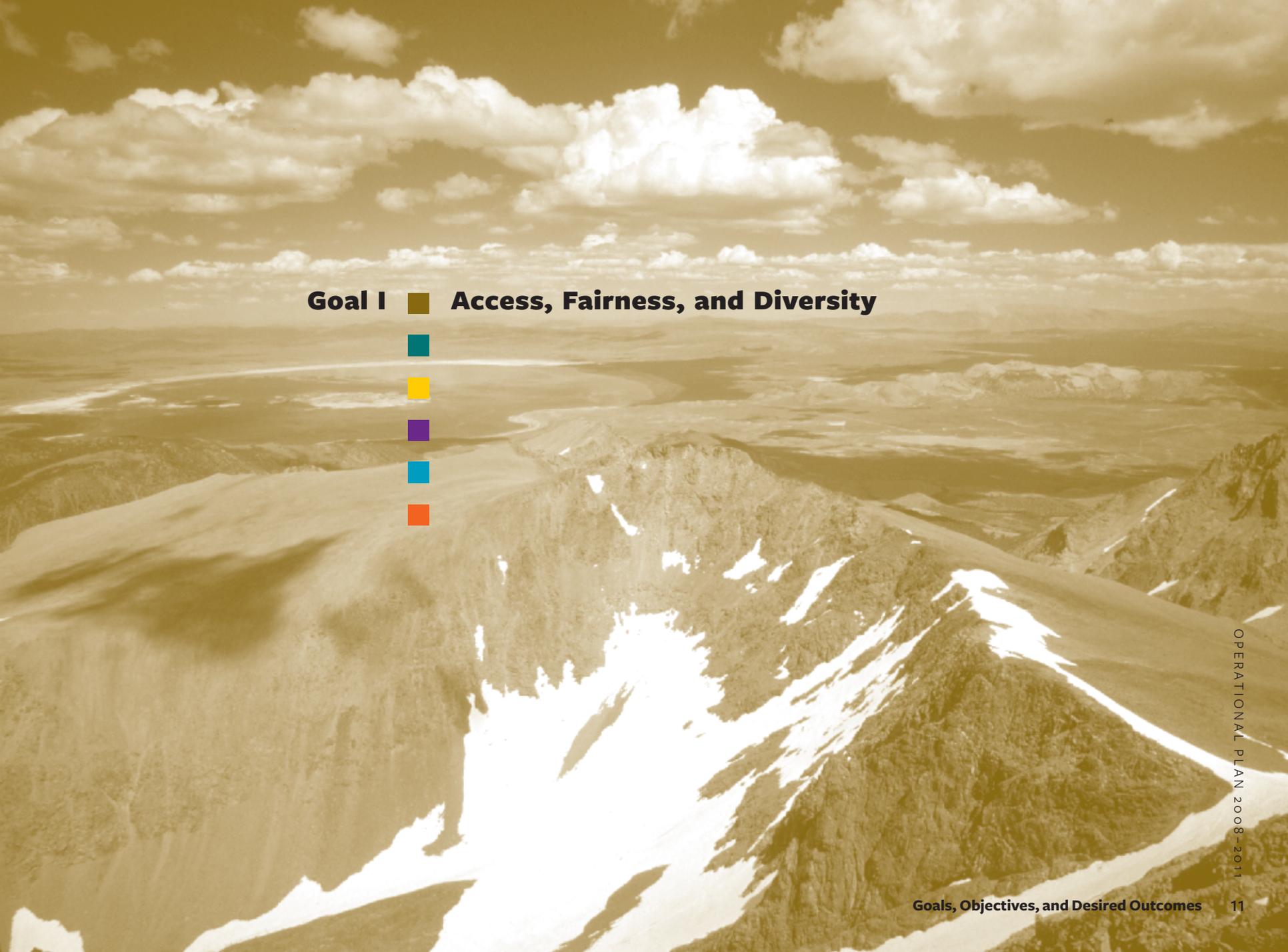


Major Events in the Development of the Operational Plan

2007	January–April	Stakeholders submit proposed plan priorities
	May	Draft 1 Operational Plan prepared
	June	Judicial Branch Planning Meeting, San Francisco; 140 branch stakeholders meet to review, discuss, revise Draft 1 Operational Plan
	August	Draft 2 Operational Plan circulated for comment
	September–November	Draft 3 Operational Plan produced and reviewed by the Judicial Council’s Executive and Planning Committee; additional revisions/consolidations effected to produce Draft 4
2008	January	Draft 4 Operational Plan circulated for comment
	February	Draft 5 Operational Plan presented for Judicial Council review and revision
	April	Judicial Council adopts <i>The Operational Plan for California’s Judicial Branch, 2008–2011</i> .

Judicial Branch Goals

- Goal I  Access, Fairness, and Diversity
- Goal II  Independence and Accountability
- Goal III  Modernization of Management and Administration
- Goal IV  Quality of Justice and Service to the Public
- Goal V  Education for Branchwide Professional Excellence
- Goal VI  Branchwide Infrastructure for Service Excellence



Goal I ■ **Access, Fairness, and Diversity**





Goal Statement
(the goal for addressing branch challenges)

Access, Fairness, and Diversity

California's courts will treat everyone in a fair and just manner. All persons will have equal access to the courts and court proceedings and programs. Court procedures will be fair and understandable to court users. Members of the judicial branch community will strive to understand and be responsive to the needs of court users from diverse cultural backgrounds. The makeup of California's judicial branch will reflect the diversity of the state's residents.

California's judicial branch serves an increasingly diverse population. The branch must work to remove all barriers to access and fairness by being responsive to the state's cultural, racial, socioeconomic, linguistic, physical, and age diversities.

Branch efforts in this regard must include ensuring that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services.

Finding effective strategies for removing barriers in all case types will require a continued branchwide commitment to

innovation, to excellence in public service, and to strong leadership at local and state levels.

In addition, in order to serve the state of California effectively, the judicial branch should reflect the diversity of the state.

The judicial branch must continue efforts to enhance public trust and confidence by working with other branches of government toward a judicial branch that mirrors the state's diversity.



Operational Objectives for 2008–2011

Desired Outcomes

Objective 1

Ensure that all court users are treated with dignity, respect, and concern for their rights and cultural backgrounds, without bias or appearance of bias, and are given an opportunity to be heard.

- a. Customer service and cultural sensitivity training for judges and court staff
- b. Judicial and court resources allocated to allow more time for cases to be heard
- c. Court public trust and confidence initiatives and programs responsive to cultural differences
- d. Mechanisms to collect, analyze, and respond to input from court users and key stakeholders

Objective 2

Identify and eliminate barriers to court access at all levels of service; ensure interactions with the court are understandable, convenient, and perceived as fair.

- a. Convenient court-user access to court facilities, services, records, and information
- b. Measures to assist the trial courts in achieving efficiency and fairness in family law proceedings and to ensure access to justice for litigants, including the self-represented



Operational Objectives for 2008–2011

Desired Outcomes

Objective 3

Ensure that persons with disabilities have access to court facilities and services.

- a. A statewide model and standards for courtrooms that comply with the Americans With Disabilities Act (ADA)
- b. Reasonable accommodations or physical access improvements to court facilities

Objective 4

Expand the availability of legal assistance, advice, and representation for litigants with limited financial resources.

- a. Partnerships and volunteer programs to increase pro bono activity, and additional support for self-help centers
- b. Mechanisms to identify litigants who qualify for free or low-cost legal representation and address proper referrals of those litigants
- c. Research and recommendations on the impact of unbundling legal services



Operational Objectives for 2008–2011

Desired Outcomes

Objective 5

Increase qualified interpreter services in mandated court proceedings and seek to expand services to additional court venues; increase the availability of language-assistance services to all court users.

- a.** Innovative programs and initiatives to recruit certified and registered court interpreters and to increase interpreter services
- b.** Effective case management practices to optimize interpreter services
- c.** Increased technology integration for “real time” language line services
- d.** Resources to expand interpreting services to civil cases



Operational Objectives for 2008–2011

Desired Outcomes

Objective 6

Promote a state judiciary and judicial branch workforce that reflects California’s diverse population.

- a.** Policies and pipeline programs to attract, retain, and advance a diverse workforce and to promote careers in the judicial branch
- b.** Improved judicial compensation, retirement plan, and benefits to encourage a diverse applicant pool

Judicial Branch Goals

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Goal II Independence and Accountability





Goal II

Goal Statement

(the goal for addressing branch challenges)

Independence and Accountability

The judiciary must maintain its status as an independent, separate, and co-equal branch of government. The independence of judicial decisionmaking will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The judiciary will unify in its advocacy for resources and policies that support and protect independent and impartial judicial decisionmaking in accordance with the constitution and the law. The branch will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.

California's judicial branch is an independent, separate, and co-equal branch of state government charged with preserving the rule of law, upholding Californians' constitutional rights, and ensuring fair and impartial courts. In order to discharge these important constitutional responsibilities, the branch must maintain its independence and resist pressures that would compromise the independence of judicial decisionmaking. Increasingly, judicial officers must contend with a variety of challenges as they make legal decisions on issues that are charged with public controversy.

In serving the people of California, the judicial branch must also exercise its constitutional and statutory authority and responsibility to plan for, direct, monitor, and support the business of the branch and

to account to the public for the branch's performance. The judicial branch must develop meaningful system performance standards, measure performance against the standards, analyze data on those measures, report the results to constituents on a regular basis, and support changes to increase efficiency and effectiveness.

These responsibilities and challenges must be met with strong branch leadership and effective strategies for preserving the status of the judicial branch as a separate, independent, co-equal branch of government.



Operational Objectives for 2008–2011

Desired Outcomes

Part A: Independence of Judicial Decisionmaking

Objective 1

Safeguard judicial impartiality and strengthen the ability of the branch and local courts to respond effectively to attempts to politicize the decisions of individual judicial officers.

- a. Methods for assessing risks to judicial impartiality and procedures and initiatives for responding to those risks
- b. Collaborations with the legal community, other justice system partners, community leaders, and other branches of government to protect and strengthen the independence of the judicial branch



Operational Objectives for 2008–2011

Desired Outcomes

Part B: Branch Independence and Accountability

Objective 2

Partner with other branches and the public to secure constitutional and statutory amendments that will strengthen the Judicial Council’s authority to lead the judicial branch.

- a. Administrative, statutory, and constitutional strategies to foster the independence and accountability of the judicial branch
- b. Stable and sufficient funding for the judicial branch and ability to allocate and reallocate branch assets and funds and to manage courthouse facilities and other branch assets
- c. Competitive salaries and benefits for judicial branch officers, via measures such as:
 - i. Reforms to the Judges’ Retirement System II (JRS II)
 - ii. Benchmarks against which judicial compensation is periodically evaluated and that authorize the judicial branch to improve judicial compensation
- d. Nonpartisan mechanisms for creating new judgeships



Operational Objectives for 2008–2011

Desired Outcomes

Objective 3

Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.

- a.** Communications by judicial branch leaders (including speeches, news releases, Web site content, legal opinions, position papers) about issues of importance to the judicial branch and made readily available to appropriate judicial branch personnel, parties within other branches of government, and the public
- b.** Communications to the courts, the public, and the press consistent with the branchwide strategic priorities
- c.** Branchwide strategic priorities integrated into education and professional development programs for judges and court staff



Operational Objectives for 2008–2011

Desired Outcomes

Objective 4

Measure and regularly report branch performance—including branch progress toward infrastructure improvements to achieve benefits for the public.

- a. Mechanisms for reporting judicial branch business and performance to the public and other stakeholders
- b. Practices to increase perceived accountability

Judicial Branch Goals

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Goal III Modernization of Management and Administration





Goal III

Goal Statement

(the goal for addressing branch challenges)

Modernization of Management and Administration

Justice will be administered by a highly qualified judicial and executive leadership team in a fair, timely, efficient, and effective manner by using modern management practices that implement and sustain innovative ideas and effective practices.

The judicial branch is responsible for providing a court system that resolves disputes in a just and timely manner and operates efficiently and effectively.

Some of the pressures affecting the branch's ability to do so are increased competition for limited state resources, expanding workloads, greater number of cases and resulting backlogs, increased case complexity, and the courts' need to respond to the information requirements of many entities.

The branch also faces the difficult work of unifying and consolidating the judicial administration policies, practices, and systems that are more efficiently coordinated on a statewide basis, while preserving and facilitating the ability of

courts to develop and maintain efficient local practices.

The effective administration of justice requires deliberate attention to recruiting, developing, and retaining high-quality staff at all levels, as well as to developing and implementing appropriate accountability and compliance measures.

The judicial branch must also implement and sustain innovative practices and ensure that court environments are safe and secure.



Operational Objectives for 2008–2011

Desired Outcomes

Part A: Trial and Appellate Court Management

Objective 1

Develop and implement methods to attract, recruit, and retain a highly qualified and motivated judicial branch workforce that reflects California’s diverse population.

- a. Local and regional court professional development and advancement opportunities for court employees
- b. Branchwide recruiting practices and policies that emphasize court employment as a career
- c. Competitive salaries for all judicial branch employees



Operational Objectives for 2008–2011

Desired Outcomes

Objective 2

Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide.

- a. Presiding judge/court executive officer rules of court amended to clarify leadership roles and standards of accountability
- b. Statewide administrative systems and quality control processes for assessing data and reporting on performance of local programs and practices
- c. Standards for determining adequate resources for all case types—particularly for complex litigation, civil and small claims, and court venues such as family and juvenile, probate guardianship, probate conservatorship, and traffic; accountability mechanisms for ensuring that resources are properly allocated according to those standards
- d. Equity in the funding of the state’s trial courts
- e. Strategies and processes for assessing and sharing best management practices
- f. Effective branchwide communication to improve operations and service delivery



Operational Objectives for 2008–2011

Desired Outcomes

Objective 3

Improve safety, security—including disaster preparedness—at all court locations for all court users, judicial officers, and staff.

- a. Emergency preparedness and continuity of operations plans and programs in all courts
- b. Funding for court security based on statewide court security standards

Objective 4

Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.

- a. Postadjudication services and plain-language orders to assist defendants and litigants in understanding and complying with court-ordered obligations
- b. Statewide online system to ensure compliance with court orders (such as minors' compromises and domestic violence restraining orders) and to protect vulnerable parties
- c. Statewide collections manual outlining best practices (policies and procedures) for recovering delinquent account balances



Operational Objectives for 2008–2011

Desired Outcomes

- d. Fine assessment incorporated into branchwide case management systems
- e. Legislation, rules of court, and forms to improve and expand permissible options for collection of fines, fees, forfeitures, bail penalties, and assessments

Part B: Trial and Appellate Case Management

Objective 5

Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.

- a. Statewide rules of court, new or improved forms, best practice recommendations, and legislation to implement and improve practices and procedures in all court venues
- b. Standardized appellate local rules, forms, and procedures across all Court of Appeal districts
- c. Increased availability of electronic filing and electronic access to trial and appellate court records

Judicial Branch Goals

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Goal IV



Quality of Justice and Service to the Public



Goal Statement
(the goal for addressing branch challenges)

Quality of Justice and Service to the Public

The judicial branch will deliver the highest quality of justice and service to the public. In order to remain responsive to the varying needs of diverse court users, the judicial branch will work with branch constituencies to better ascertain court users' needs and priorities. The branch will also employ community outreach to provide information about the judicial branch to the public, and effect programs and strategies to ensure that court procedures and processes are fair and understandable.

California's judicial branch is committed to providing quality justice to an increasingly diverse society. Many court users are poor; some are not fluent in English. Many more are unfamiliar with the scope, processes, and procedures of the American legal system. Increasingly, court users and the public look to the courts to do more than resolve legal matters and dispose of cases—they expect courts to offer programs and services that will help to resolve underlying problems.

The courts must also resolve disputes in accordance with the law in a fair and timely manner while remaining responsive to the needs of diverse court users. In addition, the judicial branch faces numerous emerging trends, including new, complex legal and ethical issues, that may impact its ability to deliver quality justice and service.

Key to meeting these challenges and maintaining the public's trust and confidence is ensuring that court procedures and processes are fair and understandable. This requires a continued branchwide commitment to excellence in public service and to education and training. Employing community outreach and other means to increase the public's basic understanding of the courts and the judicial branch must also remain a high priority.

To foster and retain the respect, trust, and confidence of its diverse constituencies, the judicial branch must continue to anticipate and respond to these and other challenges.



Operational Objectives for 2008–2011

Desired Outcomes

Objective 1

Foster excellence in public service to ensure that all court users receive satisfactory services and outcomes.

- a.** Necessary resources to all courts to ensure and support quality services
- b.** Practices, procedures, and service programs to improve timeliness, quality of service, customer satisfaction, and procedural fairness in all courts—particularly high-volume courts
- c.** Innovative problem-solving practices and expanded collaborative justice programs
- d.** Improved safety, permanency, and fairness outcomes for children and families
- e.** Improved practices and procedures to ensure fair, expeditious, and accessible administration of justice for litigants in domestic violence cases
- f.** Improved practices, procedures, and administration of probate conservatorship and guardianship cases
- g.** Increased alternatives to hearings, including such alternative dispute resolution (ADR) options as mediation, arbitration, neutral evaluation, and settlement conferences



Operational Objectives for 2008–2011

Desired Outcomes

Objective 2

Improve the quality of, and participation in, jury service.

- a. Methods for achieving participation in jury service by a fair cross-section of each community
- b. Best practices for determining jury panel sizes
- c. Best practices and model programs for improved jury administration
- d. Compensation for jurors on par with federal rates

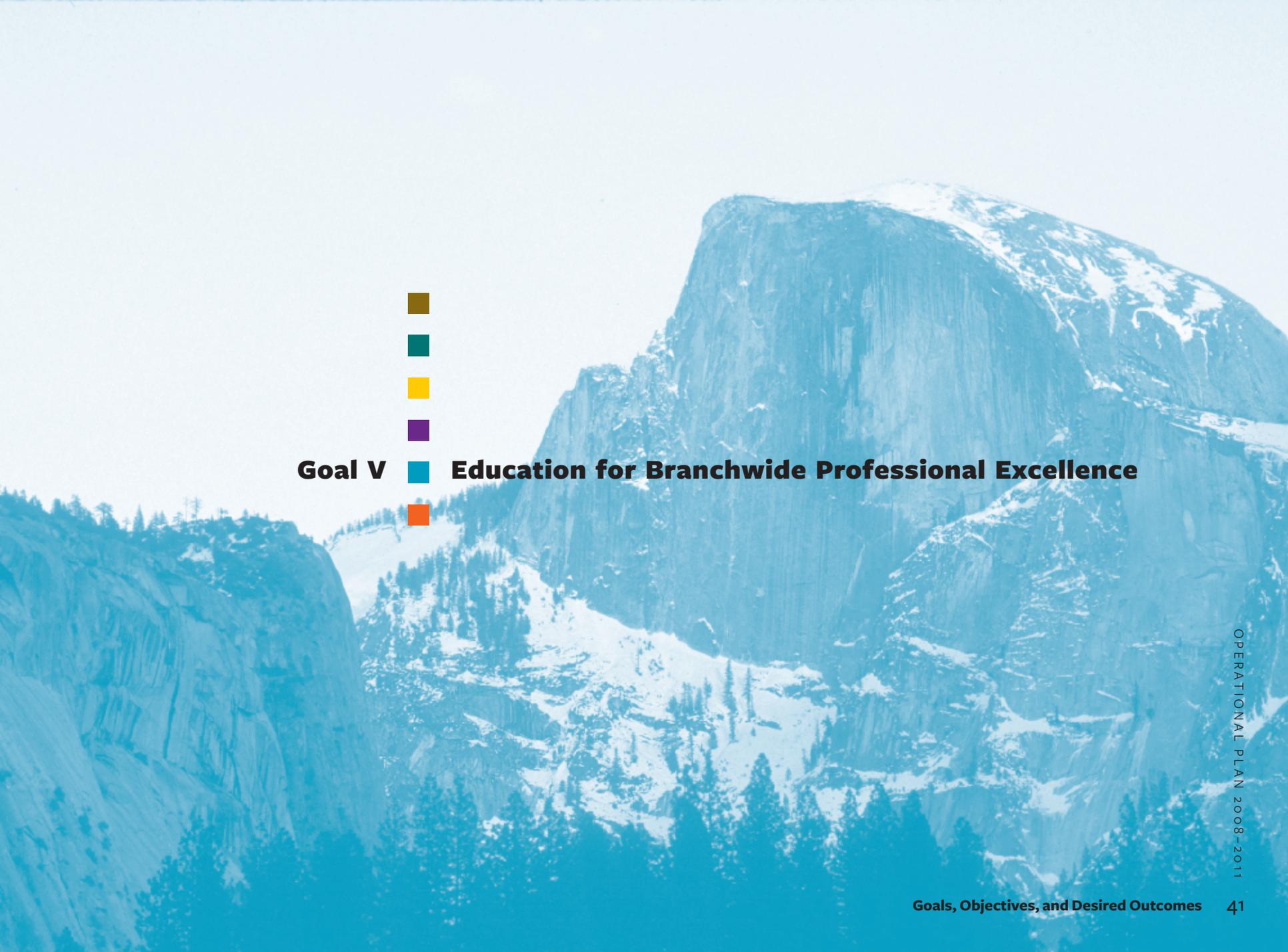
Objective 3

Develop and support collaborations to improve court practices, to leverage and share resources, and to create tools to educate court stakeholders and the public.

- a. Methods and mechanisms that help justice system partners to identify, assess, and share practices and processes for improving court services
- b. Community outreach programs for serving diverse community needs—including specific ethnic and cultural communities
- c. Programs and resources that link educators with judicial officers in the cause of public education about the judicial branch

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Goal V



Education for Branchwide Professional Excellence





Education for Branchwide Professional Excellence

Goal Statement
(the goal for addressing branch challenges)

High-quality education and professional development will be provided to enhance the ability of all individuals serving in the judicial branch to achieve high standards of professionalism, ethics, and performance. Judicial branch personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the courts.



Issue Description
(the challenges)

Professional excellence is the standard and expectation for all judicial officers and court personnel throughout California's judicial branch.

The judicial branch must provide ongoing professional development, education, and training to address many concerns, including (1) the increasing complexity of the law and court procedures, (2) emerging legal and ethical issues, (3) new and emerging practices in treating behavioral disorders and addictions, (4) new technologies, (5) accelerated management and executive development programs needed to complement succession planning efforts, (6) the importance of procedural fairness in all court operations and interactions with the public, and (7) new management, operational, and service-level expectations.

Additionally, the challenges of a resource-competitive environment mean the branch must actively pursue partnerships and other innovative ways and means to provide professional development, education, and training opportunities for all members of the branch.

Maintaining branchwide professional excellence will promote public trust and confidence in the judicial branch.



Operational Objectives for 2008–2011

Desired Outcomes

Objective 1

Provide relevant and accessible education and professional development opportunities for all judicial officers (including court-appointed temporary judges) and court staff.

- a. Participation of 20,000 court employees and 2,000 judicial officers in educational and professional development opportunities—including professional development opportunities that emphasize branchwide strategic and operational priorities
- b. Collaborations and partnerships with institutions of higher learning, and with justice system partners, to leverage educational resources
- c. Methods for assessing the value of new and existing educational and professional development programs



Operational Objectives for 2008–2011

Desired Outcomes

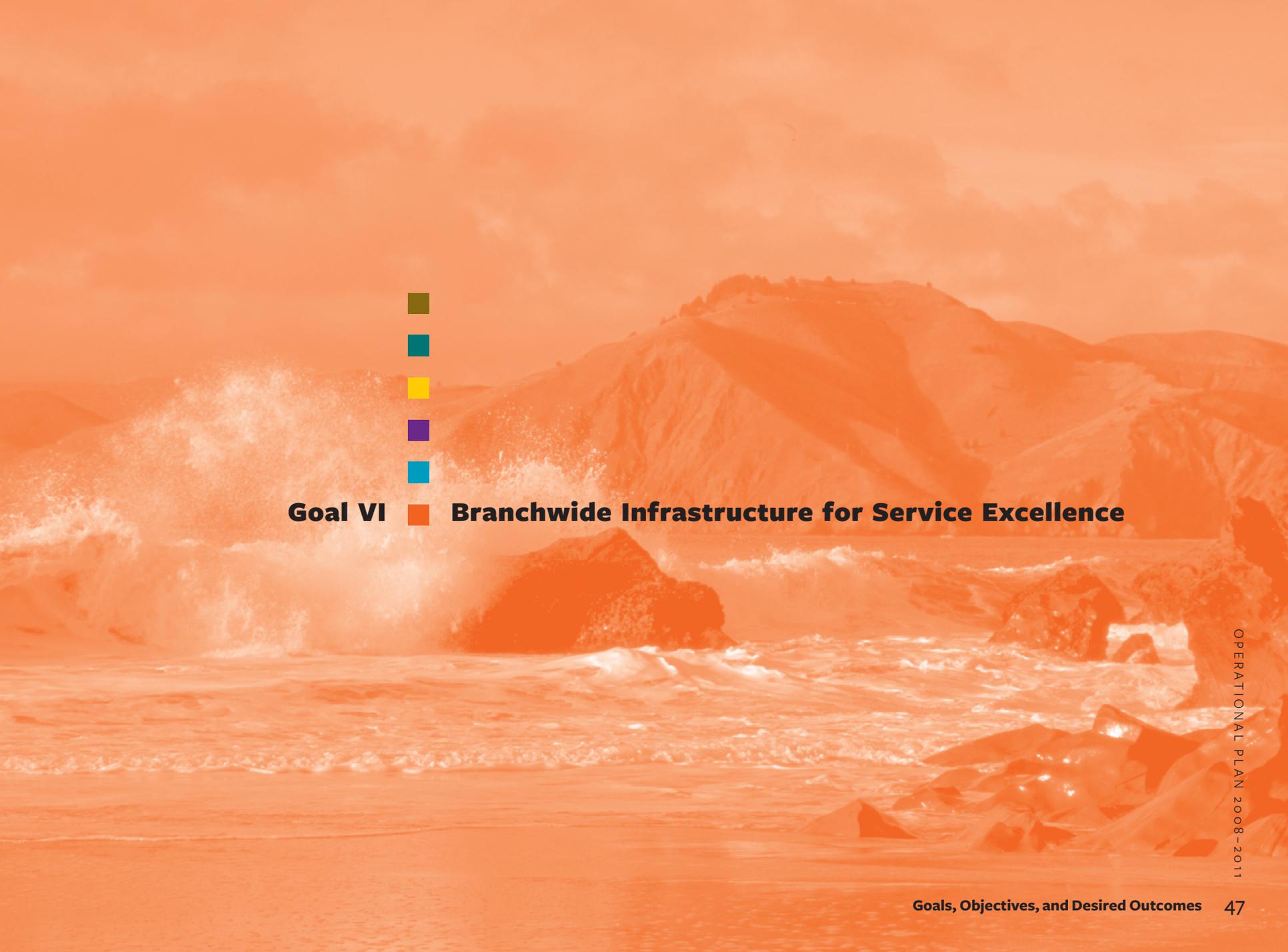
Objective 2

Promote public trust and confidence by establishing and maintaining high standards of professionalism and ethics.

- a. Curriculum and associated training programs and other professional development opportunities addressing cultural competency, ethics, procedural fairness, public trust and confidence, and public service for judges and court staff

Judicial Branch Goals

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Goal VI

Branchwide Infrastructure for Service Excellence



Branchwide Infrastructure for Service Excellence

Goal Statement
(the goal for addressing branch challenges)

The judicial branch will enhance the quality of justice by providing an administrative, technological, and physical infrastructure that supports and meets the needs of the public, the branch, and its justice system and community partners, and that ensures business continuity.

For the judicial branch to fulfill its mission and purpose, it must have a sound infrastructure that supports and meets its needs and ensures business continuity.

Specifically, the judicial branch must meet the challenge of providing the necessary technological, human resources, fiscal, and facilities infrastructure, as well as other relevant and critical internal functions, to provide the highest quality of justice and service to the people of California.

Infrastructure improvements needed to better serve the public include (1) acquisition, construction, renovation, and maintenance of adequate facilities; (2) greater technological access and integration; (3) coordinated and effective case management systems; (4) systems

for measuring court performance and accounting for the use of resources; (5) systems for sharing appropriate information throughout the branch and with other partners; (6) human resource systems to facilitate recruiting and retaining high-quality staff; and (7) staffing to provide legal assistance to the courts.



Operational Objectives for 2008–2011

Desired Outcomes

Part A: Facilities Infrastructure

Objective 1

Obtain funding/financing to acquire, renovate, construct, and maintain court facilities.

- a. Collaborations with the courts, justice system partners, and the private sector on creative funding and financing alternatives
- b. A statewide bond initiative in place to support acquisition, construction, and maintenance of facilities

Objective 2

Facilitate the acquisition of sites for, and the construction, renovation, maintenance, and expeditious transfer of, court facilities.

- a. Legislative assistance to expedite transfer of facilities; if necessary, extended timelines for transfer
- b. Models and guidelines for acquiring sites for new facilities and maintaining facilities and for transferring existing facilities



Operational Objectives for 2008–2011

Desired Outcomes

- c. Shared practices in place for building courthouses to better meet the needs of all court users and judicial branch staff
- d. Funding and operational standards for small construction and renovation projects for the courts

Part B: Technology Infrastructure

Objective 3

Ensure that all technology decisions are compatible with the judicial branch enterprise technology master plan.

- a. New technologies compatible with and integrated into branchwide infrastructure, including the California Courts Technology Center, telecommunications, security systems, and educational technology



Operational Objectives for 2008–2011

Desired Outcomes

Objective 4

Implement new tools to facilitate the electronic exchange of court information while balancing privacy and security.

- a. A secure, easy-to-use enterprise electronic case filing system
- b. New statutes and rules of court to support increased electronic archiving of court records
- c. A single point of Internet access to the Judicial Council/Administrative Office of the Courts for the California courts, justice partners, and the public

Objective 5

Continue to develop, implement, and support the California Court Case Management System technology.

- a. New and enhanced technology solutions for managing court cases, enabling data exchanges with justice partners, providing e-services, and creating venue transparency for increased access and better service to the public
- b. Data repository for producing management reports derived from accurate statistics for evaluating and improving operations, performance, and overall case management



Operational Objectives for 2008–2011

Desired Outcomes

Objective 6

Continue to develop, implement, and support the uniform statewide accounting and human resource system (Phoenix) technology to address the fiscal, payroll, administrative, and operational needs of the branch.

- a. Completed statewide rollout of the Phoenix Financial System providing
 - i. Standardized accounting and business functions
 - ii. Maximized investment opportunities
 - iii. Uniform financial maintenance and reporting
- b. Continued statewide rollout of the Phoenix Human Resources System providing common data and process requirements as agreed upon with the trial courts

Objective 7

Develop, support, and implement a statewide business continuity and emergency preparedness technology infrastructure—with emphasis on key system features.

- a. Threat and vulnerability assessment systems/technology funded and in place
- b. Funding structure for actual disaster recovery/continuity of operations



Operational Objectives for 2008–2011

Desired Outcomes

Part C: Administrative Infrastructure

Objective 8

Provide courts with a comprehensive administrative legal services infrastructure.

- a. Branchwide access to attorneys trained in multiple areas of the law
- b. A fully searchable online database of legal opinions available to court leadership

Objective 9

Provide courts with a comprehensive human resources administrative infrastructure.

- a. Service delivery options available to the courts in labor negotiations and relations, benefits and pension plan administration, and payroll

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455 Golden Gate Avenue, San Francisco, CA 94102-3688 ■ www.courtinfo.ca.gov