



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

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## MEMORANDUM

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**Date**

December 7, 2012

**Action Requested**

For Information Only

**To**

Members of the Judicial Council

**Deadline**

N/A

**From**

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Administrative Director of the Courts

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**Subject**

Report on Activities of the  
Administrative Office of the Courts

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The following information outlines some of the many activities in which the Administrative Office of the Courts (AOC) is engaged to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's October meeting and is exclusive of issues on the December business meeting agenda.

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**Legislative Advocacy:** The Legislature reconvened on December 3, 2012, when the Chief Justice swore in members of the Senate. There are, pursuant to the vote count listed by the Secretary of State as of November 27, 2012, 39 first-time legislators, one in the Senate and 38 in the Assembly. Meetings will be held with new legislators, to introduce them to the judicial branch and begin the process of discussing judicial branch priority issues.

**Chief Justice Liaison Meeting with the Attorney General:** The Chief Justice and AOC executives and staff met with the Attorney General and her leadership staff to discuss potential future and ongoing collaborations between the California Department of Justice and the judicial branch. The judicial branch will work with the Department of Justice to address mutual interests on a number of subjects including court reporting of information to the department and training materials related to the California Homeowner Bill of Rights.

**Chief Justice Liaison Meeting with the California Federation of Interpreters:** The Chief Justice and AOC executives met with the leadership of the California Federation of Interpreters (CFI) to discuss collaborative efforts to improve language access for all court users and advocacy for adequate funding for the courts to preserve access to justice. CFI represents approximately 880 court interpreters. There are approximately 1800 certified and registered court interpreters in California.

**Trial Court Efficiencies, Cost Savings, and New Revenue:** Staff provided assistance to presiding judges (PJs) and court executive officers (CEOs) as part of the PJ/CEO Trial Court Efficiencies Working Group to reevaluate proposals for efficiencies, cost savings, and new revenue that had been examined in the spring. The working group recommended several new proposals to be considered for Judicial Council sponsorship. Recommendations of the working group were forwarded to the Ad Hoc Advisory Committee on Operational Efficiencies, Cost Savings, and Revenue for their recommendations. The recommendations of the two groups will be presented to the Policy Coordination and Liaison Committee in January and brought to the Judicial Council at its February meeting.

**Court Reporter Fees:** Staff met with representatives of the American Federation of State, County, and Municipal Employees (AFSCME) to discuss the new \$30 court reporter fee for civil hearings lasting less than one hour. The representatives also expressed interest in revisiting past discussions to develop a standard page format for transcripts and switch the payment for transcripts to a standard fee per page.

**Annual Court Statistics Report:** This annual report can be accessed on the California judicial branch public website at <http://www.courts.ca.gov/documents/2012-Court-Statistics-Report.pdf>. It provides statewide caseload data for fiscal year 2010–2011 and 10-year trend data on a wide range of court business in the Supreme Court, Courts of Appeal, and superior courts. The

appendices provide county-level data on filings and dispositions in each of the superior courts for the most recent fiscal year. The data published in the report are used by courts and the branch in workload analysis, budget and policy development, and performance management.

**California Environmental Quality Act (CEQA) Reforms:** Staff met with the representative of a statewide environmental organization regarding legislation likely to be introduced by others in 2013 to make major changes to the CEQA, which could possibly include expansion of AB 900 expedited judicial review provisions. The purpose of the meeting was to share information gathered and discuss working together to prevent or mitigate any adverse impacts on the courts.

**Video Remote Interpreting Guidelines:** The recommended guidelines on the use of video remote interpreting in American Sign Language-interpreted events, approved in September by the Court Interpreters Advisory Panel, were endorsed by the Executive Committee of the Trial Court Presiding Judges Advisory Committee. The guidelines have been distributed to courts and are available on the California judicial branch public website.

<http://www.courts.ca.gov/documents/CIP-ASL-VRI-Guidelines.pdf>.

**Criminal Justice Realignment:**

- At the request of the Department of Justice (DOJ), AOC Criminal Justice Court Services Office staff drafted a memorandum summarizing the DOJ's most recent reporting requirements for all post-realignment dispositions for inclusion in individual criminal history reports. The recently enacted changes to parole and felony sentencing laws created considerable confusion about what disposition information courts should report to DOJ. The memorandum uniformly communicated the requirements to all courts and included the reporting preferences that were revised over time.
- The AOC hosted a two-day meeting to identify content and delivery strategies for judicial education that address the ongoing Criminal Justice Realignment implementation issues. The focus was based on requests from various trial courts specifically in the areas of the new sentencing structure, pre-trial decisions, and revocation and modification of offenders under supervision. Preliminary plans for a statewide parole revocation hearing course also were developed.

**Election Day:** To assist courts in connection with the November 6, 2012, General Election, the AOC worked with Presiding Judge Laurie M. Earl, in her capacity as Chair of the Trial Court Presiding Judges Advisory Committee, to put in place a voluntary procedure permitting access to after-hours court relief. Information on this process was disseminated to presiding judges and court executive officers. Under the procedure, the Chief Justice issued an order assigning a panel of three judges to assist courts in hearing urgent matters that may have arisen after hours. The Secretary of State's office agreed to ask all local Registrars of Voters to contact a designated

AOC representative if they received any after-hours requests for election-related court relief. Such requests were forwarded to the panel of judges, as appropriate.

**Cross-Court Educational Exchanges on Tribal Lands:** Funding was secured from the U.S. Department of Justice's Office on Violence Against Women to pay travel expenses for judges to participate in cross-court educational exchanges on tribal lands. These exchanges will be judicially led and shaped by the host judges (one tribal court judge and one state court judge). Funds are administered through the California Emergency Management Agency.

## **Fiscal Services**

### **Judicial Branch Audit Program:**

- Regular cycle comprehensive audit entrance letters were sent to initiate audits for the Superior Courts of Mendocino and Yuba Counties.
- Regular cycle comprehensive audit field work was completed for the Superior Courts of Orange, Santa Barbara, and Los Angeles Counties, and audit reports are being prepared.
- Consultative services continue to be provided for the following:
  - Superior Court of San Joaquin County: County Charges for Information Services.
  - Bureau of State Audits, Assessment of Implementation of the Judicial Branch Contract Law (Pilot Court Audits: Napa, Orange, Sacramento, Sutter, Stanislaus, and Yolo).
  - Financial Statement Audits of the Judicial Branch (pilot courts will be selected in December).
- Revenue distribution training was provided in two sessions to approximately 80 court personnel from more than 35 courts.

### **Fiscal Services Technical Assistance to Courts:**

- Statewide grants reconciliation and reports training was provided to all trial courts.
- The Phoenix financial system was configured to allow for mail time on checks processed, providing the courts the ability to take advantage of discounts offered by vendors for timely payment.
- *Alpine:* Training continues to enable the court to record deposits and reconcile their trust account balances to financial records.
- *Amador:* Accounting assistance is being provided in the absence of the court's primary accountant, including preparation of the criminal fines and fees report, distribution to the county, and drafting of instructions to enable the court to prepare the report to the county in the future.
- *Lassen:* The court's new accounting employee was trained on Phoenix financial system navigation, reports, reconciliations, and grants.

- *Nevada:* Staff conducted a site visit to assist with reconciling the court's outside cash account. They provided overviews of the grant reconciliation process and the reclassification of salaries and benefits for the AB 1058 (child support commissioner) grants, and available SAP financial reports and their use in the reconciliation process.
- *Santa Clara:* Efforts are continuing to complete trust and distribution reconciliations for the court.
- *Trinity:* Assistance was provided to reconcile trust account balances between the court's county financial records and their case management system.

### **Human Resources Services**

**Labor Relations/Negotiations:** The AOC is currently supporting 17 trial courts in labor negotiations and two court interpreter regions in bargaining sessions. Negotiations have recently concluded in six courts with concession bargaining becoming more common due to the current and projected finances for individual courts and negotiations are generally resulting in one to two year contracts.

**Trial Court Employee Relations:** Employee relations assistance is currently being provided to 17 courts. Assistance includes Family and Medical Leave Act compliance, policy review, employee investigations, performance management, and employee disciplinary actions.

**Trial Court Recruitment Assistance:** General recruitment assistance is being provided to seven trial courts. With recent reductions in staffing, the trial courts have requested more assistance in the general areas of human resources, the most common of which is with the recruitment process. Assistance ranges from coordinating the complete recruitment to ensuring that postings reach intended sites to achieve maximum exposure to potential applicants.

### **Phoenix Human Resources Payroll System:**

- *Pension Reform:* Requirements gathering and configuration has begun to accommodate the implementation of the new Employee Pension Reform Act for the seven Phoenix payroll courts: Lake, Riverside, Sacramento, San Bernardino, Santa Cruz, Siskiyou, and Stanislaus.
- *Benefits Administration:* Eight new benefit plans and several rate changes were implemented for all courts on the system.
- *Time and Payroll Management:* New system configuration was implemented to:
  - Administer a new furlough program at Superior Court of Stanislaus County;
  - Validate accounting codes in timesheet entry according to new financial reporting rules; and
  - Allow update of Phoenix HR Payroll for employee payments made outside the system.

- Annual Wage and Tax Statement (W-2) workshops were conducted with the courts to provide guidance and instruction on how to validate and reconcile information reported to the state and federal government.

**Phoenix System Infrastructure:**

- *Cost-savings for Phoenix Program:*
  - Several servers were removed from the Phoenix environment consolidating functionality and reducing ongoing costs by approximately \$111,000 annually.
  - Conversion of all non-production environments reduced ongoing expenses by approximately \$40,000 annually.
- *Disaster Recovery Exercise 2012:* The Phoenix 2012 disaster recovery exercise was successfully completed.
- *Year-end Updates:* The application and testing of critical system-wide year-end updates has begun. This is an annual two-to-three month project that incorporates technical and functional resources in the AOC and courts to ensure compliance with changes to tax reporting requirements and software maintenance and support agreements.

**Phoenix Program Recognition:** The Phoenix Program was awarded SAP's Customer Center of Expertise Primary certificate following a successful certification audit conducted by SAP assuring that all obligatory functions performed by the program's customer center met or exceeded industry standards.

**Technology**

**Interim Case Management System—Sustain Justice Edition:** The AOC funds program management oversight for this system. For Sustain courts hosted at the California Courts Technology Center (10 of 16), maintenance activities in this period included production support updates, system patching, security certificate renewals and build-out of new development and quality assurance environments. Data was provided to the Superior Court of Monterey County to test a local installation of the Sustain Justice Edition, as the court moved to local hosting of the system. Biweekly meetings continue with court executive officers utilizing the Sustain Justice Edition to discuss the path forward for their case management system needs.

**Criminal and Traffic Case Management System (V2):** Release 9.1 was successfully deployed. This maintenance release included corrections to DMV processing, Judicial Branch Statistical Information Reporting System calculations, bail/payment processing, and updating information on warrants transmitted to the Fresno Sheriff's Office.

**California Court Case Management System (V4) Equipment Reallocation:** Hardware, including servers, memory cards, and external hard drives from the V4 case management system

installation at the California Courts Technology Center, was decommissioned and offered to the trial courts at no cost. All available equipment has been requested and will be repurposed locally by the superior courts.

**E-filing:** The AOC worked with a subcommittee of appellate clerks to establish requirements for an appellate e-filing system.

**California Courts Technology Center:** The center hosts some level of services for most of the superior courts, all the Courts of Appeal and the Supreme Court, with more than 10,000 supported users. In this period, the center implemented improvements to provide faster and simpler routing services and reduce the cost of simple exchanges.

**Telecommunications Infrastructure and Security Program:** The fiscal year 2012–2013 technology refresh program is under way with equipment in 20 superior courts targeted for replacement in this cycle.

**California Courts Protective Order Registry Grant-Funded Deployments:** This award-winning program is currently used by 21 counties and five tribal courts to improve public and police officer safety by providing access to data and scanned images of restraining and protective orders across courts locations and counties. Ten additional courts will deploy the registry in 2013 under a grant-funded program by the California Department of Justice. Deployments will occur by June 2013 in the following courts: Glenn, Imperial, Lassen, Mendocino, Merced, San Joaquin, San Luis Obispo, Solano, Sutter, and Tehama.

## **Facilities**

### **Capital Projects:**

*SB 1407 Projects:* On November 14, 2012, the state Department of Finance requested that the judicial branch suspend all acquisition phase activity for SB 1407 projects as it reviews how the new courthouse in Long Beach will be funded, and until the Judicial Council determines which projects will proceed if the fiscal year 2013–2014 service fee payment for Long Beach impacts SB 1407 resources. This directive affects 12 projects for which sites have not yet been selected or purchased.

Construction is ongoing on eight projects totaling \$1.2 billion.

### *Bond Sales:*

- The Series G bond sale closed on October 30, 2012, at 3.8 percent, and included projects for the Butte, Solano, and Yolo courts.

- Completion of working drawings is under way for projects for the trial courts in Kings, Santa Clara, and Sutter Counties scheduled for the spring bond sale.

**Facility Modifications:** As of November 29, 2012, there were 426 active facility modifications at a total estimated cost of \$58,655,084.

**AOC Office Space Reduction:** The AOC has exercised its right to terminate the lease of the fourth floor space at its Sacramento office location. The reduction in space has resulted in a savings of \$120,300.00 for fiscal year 2012–2013.

**Court Security:** Several surplus pieces of security screening equipment made available as a result of court closures were provided to the Redding Rancheria, Yurok, and Hoopa Tribal Courts.

**International Judicial Visitors:** The AOC's Chief Counsel met with a group of judges, attorneys, government officials, and scholars from the People's Republic of China to provide an overview of the Judicial Council, the Administrative Office of the Courts, and the California court system.

### Advisory Committees/Task Forces/Working Groups

*Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.*

The following committees met since the Judicial Council's October meeting:

1. Administrative Presiding Justices Advisory Committee
2. Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
3. Collaborative Justice Courts Advisory Committee
4. Court Executives and Trial Court Presiding Judges Advisory Committees
5. Court Facilities Working Group
6. Court Interpreters Advisory Panel
7. Court Technology Advisory Committee
8. Criminal Law Advisory Committee
9. Governing Committee of the Center for Judicial Education and Research (CJER)
10. Mental Health Issues Implementation Task Force

## **Meeting Details**

### **Administrative Presiding Justices Advisory Committee:**

- Discussed numerous issues pertaining to the budgets of the Supreme Court and Courts of Appeal.
- Considered the impact of the new law regarding the use of retired annuitants on the appellate courts.
- Discussed the Judicial Council directive regarding consolidation of AOC services relating to appellate court continuing education.

### **Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch:**

- Reviewed the pending audit report of the AOC's Facilities Management Unit—a compliance audit of management and maintenance services contracts from 2006 through 2011. Further discussion will be scheduled for January 2013.
- Discussed the draft annual agenda for 2013, and Vehicle Code 40508.6.

### **CJER Governing Committee:**

- Convened the first meeting with the new committee leadership of Justice Robert L. Dondero, chair and Judge Theodore M. Weathers, vice-chair; and welcomed Judge Mark A. Juhas and Ms. Tammy L. Grimm as new members, and Judge Lisa B. Lench, newly appointed California Judges Association advisory member.
- Accepted for review a report from the New Judge Education Committee on CJER's curriculum and programming currently provided to newly appointed and elected judges.

### **Collaborative Justice Courts Advisory Committee:**

- Discussed multidisciplinary programs and projects, including the Reentry Court Roundtable, the Military Families Symposium, and Juvenile Collaborative Justice Courts, as well as the proposed distribution process for the Substance Abuse Focus Grants.
- Approved the proposed annual agenda for 2013 to be submitted to the Judicial Council's Executive and Planning and Rules and Projects Committees at their joint meeting scheduled for January 2013.

### **Court Executives and Trial Court Presiding Judges Advisory Committees:**

- Separate and joint meetings of the committees were held.
- Joint meeting updates and discussion focused on the Trial Court Funding Workgroup, and moving forward legislative proposals stemming from the Trial Court Efficiencies Working Group.
- Both advisory committees provided input on their annual agendas for 2013.

**Court Facilities Working Group–Cost Reduction Subcommittee:**

- Reviewed seven courthouse projects (Superior Courts of Kings, Merced, San Diego, San Joaquin, Santa Clara, Sutter, and Tehama Counties), and mandated a total of almost \$10 million in reductions to the construction phase budgets for four of the seven projects—in addition to \$33.7 million in council-mandated cost reductions.
- Requested that three of the seven projects review the project scope and design to identify additional recommended cost reductions, and subsequently mandated an additional \$12.4 million in reductions to the construction phase budgets.
- To date, a total \$89.3 million in cost reductions, including those mandated by the Judicial Council, have been made.

**Court Interpreters Advisory Panel:**

- Reviewed and discussed the development of the Panel's annual agenda. Areas of focus are: language access guidelines for the use of spoken language interpreters in non-mandated proceedings, and exploratory research pertaining to interpreter performance and conduct.

**Court Technology Advisory Committee:**

- Approved a recommendation for submission to the Judicial Council to adopt the remote video pilot project proposal authorizing remote video trials in cases involving violations of traffic and compulsory laws.
- Approved a recommendation to circulate the Invitation to Comment on amending rules of court and adopting forms to implement AB 2073 expanding mandatory e-filing.

(A review is under way to clarify roles and responsibilities, eliminate overlap, and align staffing resources between the Judicial Council's internal Technology Committee and the Court Technology Advisory Committee and its subcommittees.)

**Criminal Law Advisory Committee:**

- Agreed to recommend a proposal to circulate for public comment that would revise rule 4.541 to apply minimum content requirements to reports filed in conjunction with petitions to revoke parole, as required by statute.

**Mental Health Issues Implementation Task Force:**

- Reviewed and approved legislative proposals for procedural changes in adult competency, legislative issues in juvenile competency, realignment and Penal Code 1368, and proposed modifications of court rules to address mental health cases. Other items included education and best practices priorities, building justice system and mental health partnerships, and realignment.
- Approved the task force's proposed annual agenda for 2013 for submission to the Judicial Council's Executive and Planning and Rules and Projects Committees at their January 2013 joint meeting.

## Judicial Branch Education Programs

### Judicial Education

1. Family Law Webinar: Business Valuation and Good Will
2. Juvenile Law Institute
3. Qualifying Ethics

### Judicial, Court Employee, and Justice System Stakeholder Education

1. Americans With Disabilities Act (ADA) Update
2. Court Security Training
3. Core 40-Judicial Administration Training
4. Domestic Violence On-the-Job Training
5. Domestic Violence Summit – *Connect-to-Protect: Bridging the Court and the Community*
6. Family Dispute Resolution Training
7. Institute for Court Management—High Performance Court Framework: Concluding Seminar
8. Microsoft Excel Advanced

### New Online Resources

1. ADA in State Courts (updated)
2. Injunctions Primer (interactive judicial article)
3. Courtroom Simulation: Sale of Property in Decedent's Estate

### Publications

Updated and Revised Benchguides:

1. Child and Spousal Support (Benchguide 201)
2. Civil Proceedings: After Trial Update 2012
3. Custody and Visitation (Benchguide 200)
4. Felony Arraignments and Pleas (Benchguide 91)

### Videos

1. Opinion Writing for New Justices

### Audio

1. Spanish Language: How to Fill Out Domestic Violence Forms

## **Program Details**

**Americans with Disabilities Act (ADA) Update:** This overview provided information on interactions with jurors and court users with disabilities and appropriate terminology, and included a question and answer period.

### **Court Security Training:**

- *Continuity of Operations Planning:* Provided training to personnel from the Superior Courts of Fresno and San Luis Obispo Counties, along with several other courts from surrounding areas.
- *Dealing with Courtroom Violence:* Provided training for judges in the Superior Court of Fresno County.
- *Personal Security:* Provided training for judges in the Superior Court of Merced County.

**Core 40, Judicial Administration:** A week-long program was provided for 30 court supervisors and managers on the role of the supervisor, employment law, and performance management.

**Domestic Violence On-the-Job Training:** Additional courses were opened for this popular domestic violence training provided to child custody mediators, recommending counselors, and evaluators that was first offered in October. The format involves a one-hour webinar focused on recent efforts to improve screening, followed by on-the-job implementation and another one-hour webinar interactive discussion about their experiences and next steps for implementing promising approaches to handling these complex cases. By using distance learning technology and including content that can immediately be applied on the job, cost-savings are immediate, time away from court is limited, and training mandates are met.

### **Domestic Violence Summit – *Connect-to-Protect: Bridging the Court and the Community***

The Superior Court of Riverside County convened its first Domestic Violence Summit. Those who attended included members of law enforcement, area tribes, religious groups, civic leaders, and nonprofit agencies gathered to explore the roots of the crime of domestic violence and the most effective means to stop it. The summit received support for speakers and other program costs from the AOC grant-funded Domestic Violence Safety Partnership Project, and AOC staff provided technical assistance in the development of a web-based program, featured at the summit, that allows domestic violence victims to file requests for restraining orders online.

**Family Dispute Resolution Directors' Training:** This video-conference training provided six hours of credit toward annual continuing education requirements for Family Court Services directors, managers, and supervisors. Subject areas included updates on family law and domestic violence statutes and rules, supervised visitation grant requirements, child custody research,

family dispute resolution training and technical assistance, and critical incident stress debriefing techniques.

**Family Dispute Resolution Trainings:** This one-day training provided six hours of credit toward annual continuing education requirements for 375 Family Court Services child custody mediators, recommending counselors, and evaluators. A recording of the training will be released as a video course. The session compared child welfare and family court differences in case processing, investigations, evidence standards, and case outcomes—including exit orders and child abuse reporting decisions, and focused on information sharing between child welfare/dependency court and Family Court Services/Family Court.

**Family Law Webinar: Business Valuation and Good Will:** A two-hour webinar with judicial officer participation from throughout the state included a review of the law and tips for effective case management in cases involving business valuation, along with a case study.

**Institute for Court Management—High Performance Court Framework:** Faculty guided participants in discussions on the nature of supervising, management, and leadership styles, and explored how individual styles affect working with others within the court as an organization, and externally with the other branches of government. Using this framework, participants undertook various problem-solving scenarios aimed at synthesizing the learning objectives of the required courses.

**Juvenile Law Institute:** The following workshops were presented:

- *Demonstration of the California Dependency Online Guide (CalDOG) Website:* This is a resource website that provides high quality, juvenile dependency-related information including case law, publications, a conference calendar, and other valuable resources.
- *Domestic Minor Sex Trafficking of Dependent/Delinquent Youth:* This workshop focused on the unique features of commercially sexually exploited children who may appear in both dependency and delinquency proceedings and highlighted the characteristics of victims, perpetrators, dynamics, and risk factors. The workshop also addressed broad goals of services and treatment for exploited children and the increasing need for court leadership in this critical area.
- *Latest Developments in Fostering Connections to Success Act Legislation:* This workshop was an update on AB 12/212 and new AB 1712 legislation that extends foster care benefits beyond the age of 18.
- *Military Families in the Court System: Responding to a Vulnerable Community:* This workshop emphasized juvenile and family court issues facing parents who are on active duty, in the guard, reservists, or veterans, and also included cross-over issues involving other case types. Key topics included: identifying the strengths in military families, understanding military “culture,” understanding the effects of post traumatic stress syndrome, traumatic

brain injury, the use of psychotropic medications in conjunction with alcohol and other drugs, mental and physical health, family violence, child abuse, and how these issues may affect children.

## **Publications**

**Domestic Violence in Dependency Cases: A Judge's Guide and Judges Guide to Domestic Violence Cases – Updated:** These bench guides provide judges with reference tools on California and tribal protective orders, firearms, emergency protective orders, and the impact of domestic violence in dependency cases.

[http://serranus.courtinfo.ca.gov/education/domestic\\_violence/index.htm](http://serranus.courtinfo.ca.gov/education/domestic_violence/index.htm).

**Tribal Communities and Domestic Violence:** This new bench guide presents a primer on federal Indian law, and highlights some of the inter jurisdictional challenges state and tribal court judges face when recognizing and enforcing each other's protective orders. It describes barriers, and dispels myths about native victims, tribes, and the law.

<http://courts.ca.gov/documents/Tribal-DVBenchguide.pdf>

**Truancy and School Discipline: An Overview of the Literature and Statistics:** This online publication is intended as a resource for courts working with justice partners and other stakeholders to develop collaborative solutions to truancy and school discipline issues in their communities. It begins with an overview of key statistics and research on truancy and school discipline, particularly as they intersect with the juvenile justice and child welfare systems, and moves on to identify principles and strategies for addressing the problems.

[http://www.courts.ca.gov/documents/AOC\\_Briefing\\_-\\_Truancy\\_and\\_School\\_Discipline.pdf](http://www.courts.ca.gov/documents/AOC_Briefing_-_Truancy_and_School_Discipline.pdf)

**Administrative Office of the Courts Staffing Report as of December 5, 2012**

The AOC has 815.10 full-time equivalent authorized positions, with an employee headcount of 686 regular employees, 47.1 employment agency temporary workers, and 63.5 contractors.

STAFFING	Leadership Services Division							Operations Services Division						Administrative Services Division						AOC
	Executive Office	Office of Gov't Affairs	Legal Services Office	JC Support Services	Office of Communications	Special Project Office	Trial Court Liaison Office	Center for Families, Child. &	Court Ops Special Svc Office	Criminal Justice Court Svc Office	Office of Education	Office of JB Capital Programs	Office of Security	Fiscal Services Office	HR Services Office	Info & Tech Services Office	Office of Admin Services	Office of Real Estate & Fac. Mgmt	TC Admin Services Office	
Authorized Position (FTE)	8.00	13.00	64.00	12.80	9.00	2.00	9.00	72.00	48.90	4.00	67.50	61.00	10.00	95.00	38.00	136.90	7.00	64.00	93.00	815.10
Filled Authorized Position (FTE)	7.00	9.85	53.40	8.80	7.00	2.00	8.00	66.00	35.95	4.00	63.15	52.90	8.00	82.00	31.00	101.88	7.00	46.00	85.00	678.93
Headcount - Employees	7	10	54	9	7	2	8	68	37	5	64	53	8	82	31	103	7	46	85	686.00
Vacancy (FTE)	1.00	3.15	10.60	4.00	2.00	0.00	1.00	6.00	12.95	0.00	4.35	8.10	2.00	13.00	7.00	35.03	0.00	18.00	8.00	136.18
Vacancy Rate (FTE)	12.5%	24.2%	16.6%	31.3%	22.2%	0.0%	11.1%	8.3%	26.5%	0.0%	6.4%	13.3%	20.0%	13.7%	18.4%	25.6%	0.0%	28.1%	8.6%	16.7%
AOC Temporary Employee (909)	1	0	0	0	0	0	0	1	1	1	8	1	0	1	1	0	2	0	0	17.00
*Employment Agency Temporary Worker (FTE)	0.0	0.0	1.0	1.6	0.0	0.0	0.0	2.5	0.5	0.5	1.0	2.0	0.0	7.0	0.0	5.0	0.0	26.0	0.0	47.10
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.0	0.0	0.0	1.0	53.5	0.0	1.0	0.0	63.50
<b>TOTAL WORKFORCE</b> (based on FTE, 909s, Agency Temps & Contractors)	8.00	9.85	54.40	10.40	7.00	2.00	8.00	69.50	37.45	5.50	72.15	63.90	8.00	90.00	33.00	160.38	9.00	73.00	85.00	806.53

\*Updated as of 11/30/12: Criminal Justice Court Svc & CFCC are sharing a temp

**Definitions:**

<b>Authorized Position (FTE)</b>	Authorized positions include all regular ongoing positions approved in the Budget Act for that year. The number is based on the position's approved full time equivalency.
<b>Filled Authorized Position (FTE)</b>	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
<b>Headcount</b>	The actual count of persons employed by the AOC, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". This count does not include AOC Temporary Employees (909) or Employment Agency Temporary Workers.
<b>Vacancy (FTE)</b>	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
<b>Vacancy Rate (FTE)</b>	Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes AOC temporary employees ("909" funded employees). See definition of AOC temporary employees below.
<b>AOC Temporary Employees (909)</b>	The "909 category is the State Controller code the AOC uses to reference a temporary position or a temporary employee. 909 Position - it is a position that may not be funded through the Budget Act and it is categorized by the Office of the State Controller as a temporary position used in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position. 909 Employee - An employee whose salary is not funded through the Budget Act. 909 employees may receive benefits if employed at least half-time and the term of employment is for more than six months. Types of "909" Temporary Employees include: Retired Annuitants: A retired annuitant is a retiree who is hired by his or her former employer or by another employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who has previously retired and who is currently receiving retirement benefits. Temporary: Employees employed by the AOC on a temporary basis - they do not receive full benefits (but do receive CalPERS retirement service credit).
<b>Employment Agency Temporary Worker (FTE)</b>	These are workers from an employment agency. They are employees of the employment agency, not the AOC, but provide short-term support for AOC workload.
<b>Contractor (FTE)</b>	Individuals augmenting the work of the AOC and providing services for a limited period of time or on a specific project, where a particular skill set is required that is either (1) not within an existing AOC classification and/or job description or (2) where recruitment issues require the use of a contractor.
<b>Full Time Equivalency (FTE)</b>	Full Time Equivalency is the number of total maximum compensable hours designated in a year divided by actual hours worked in a year. For example, the work year for the AOC is defined as 2,080 hours; one employee occupying a paid full time job all year would consume one FTE. One employee working for 1,040 hours each would consume .5 FTE.
<b>Time Base</b>	Full time: Employee is scheduled to work 40 hours per week. Receives full benefits. Part time: Employee is scheduled to work less than 40 hours per week. Employees that work more than 20 hours per week receive full benefits. Intermittent: Employees have no established work schedule and work on an as-needed basis that varies from one pay period to the next. Eligibility for certain benefits may be limited for these employees.
<b>Regular Employee</b>	Commonly referred to as "permanent employees" – They receive full benefits.
<b>Limited Term</b>	Limited Term Position – It is a position that is funded through the Budget Act with a specific end date. The position is counted as an authorized position. Employee in limited term positions may be regular or temporary.

## New Judgeships and Judicial Vacancy Report

**New Judicial Appointments:** The Governor made 19 new judicial appointments in November: Courts of Appeal, First Appellate District (1), Fifth Appellate District (1), Sixth Appellate District (1), and Superior Courts for the counties of Alameda (3), Del Norte (1), Kern (1), Madera (1), Napa (1), Orange (2), Sacramento (2), San Diego (1), Santa Clara (2), Stanislaus (1), and Ventura (1).

**Judicial Vacancies:** There are five Courts of Appeal and 72 trial court vacancies.

### Number of Judgeships Authorized, Filled and Vacant as of **November 29, 2012**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	<i>Filled(Last Month***)</i>	<i>Vacant(Last Month***)</i>
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	100	5	0	100	5
Superior Courts	58	1687	1565	72**	50*	1554	131
<b>All Courts</b>	<b>65</b>	<b>1799</b>	<b>1672</b>	<b>127</b>		<b>1661</b>	<b>136</b>

\*Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, funding for these judgeships has been deferred.

\*\* In October 2012, one new judgeship was created by converting a commissioner position from the Superior Court of Orange County.

\*\* In November 2012, one new judgeship was created by converting a commissioner position from the Superior Court of San Diego County.

\*\*\*As of September 30, 2012

### New Vacancies that occurred in October and November 2012

**JUDICIAL VACANCIES: APPELLATE COURTS**

<b>Appellate District</b>	<b>Vacancies</b>	<b>Reason for Vacancy</b>	<b>Justice to be Replaced</b>	<b>Last Day In Office</b>
First Appellate District, Division Four	1	Retirement	Hon. Patricia K. Sepulveda*	02/29/12
Second Appellate District, Division Six	1	Retirement	Hon. Paul H. Coffee	01/31/12
Third Appellate District	1	Elevated	Hon. Tani G. Cantil-Sakauye	01/02/11
Fifth Appellate District	1	Dis Retirement	Hon. Betty L. Dawson*	05/10/12
Sixth Appellate District	1	Retirement	Hon. Wendy Clark Duffy**	10/28/11
<b>TOTAL VACANCIES</b>	5			

\* November 21, 2012: The Governor appointed Mr. Jim Humes as associate justice of the First District Court of Appeal, Division Four. Mr. Humes fills the vacancy created by the retirement of Justice Patricia Sepulveda. Additionally, the Governor appointed Fresno Superior Court Judge Rosendo Peña as associate justice of the Fifth District Court of Appeal. Judge Peña fills the vacancy created by the retirement of Justice Betty L. Dawson.

\*\* November 29, 2012: The Governor appointed Monterey Superior Court Judge Adrienne M. Grover as associate justice of the Sixth District Court of Appeal. Judge Grover fills the vacancy created by the retirement of Justice Wendy Clark Duffy.

These positions require confirmation by the Commission on Judicial Appointments.

**JUDICIAL VACANCIES: SUPERIOR COURTS**

<b>County</b>	<b>Vacancies</b>	<b>Reason for Vacancy</b>	<b>Judge to be Replaced</b>	<b>Last Day In Office</b>
Alameda	4	Retirement	Hon. David E. Hunter	09/03/12
Alameda		Retirement	Hon. Robert K. Kurtz	07/10/12
Alameda		Converted	New Position	06/27/12
Alameda		Converted	New Position	06/27/12
Butte	2	Retirement	Hon. Gerald Hermansen	03/31/12
Butte		Retirement	Hon. Steven J. Howell	02/29/12

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Calaveras	1	Retirement	Hon. Douglas V. Mewhinney	03/01/12
Kern	1	Retirement	Hon. Lee Phillip Felice	06/30/12
Kings	1	Retirement	Hon. Lynn C. Atkinson	12/31/11
Los Angeles	21	Retirement	Hon. Charles D. Sheldon	11/13/12
Los Angeles		Retirement	Hon. Lyle Michael MacKenzie	09/07/12
Los Angeles		Retirement	Hon. Judith A. Vander Lans	07/31/12
Los Angeles		Retirement	Hon. Gary E. Daigh	07/16/12
Los Angeles		Retirement	Hon. Deborah B. Andrews	07/05/12
Los Angeles		Retirement	Hon. Joan Comparet-Cassani	05/11/12
Los Angeles		Retirement	Hon. Anita H. Dymant	04/10/12
Los Angeles		Retirement	Hon. Rose Hom	03/27/12
Los Angeles		Retirement	Hon. Gary R. Hahn	03/07/12
Los Angeles		Retirement	Hon. Carl J. West	02/29/12
Los Angeles		Retirement	Hon. Jacqueline A. Connor	02/23/12
Los Angeles		Retirement	Hon. Marjorie S. Steinberg	02/14/12
Los Angeles		Converted	New Position	01/01/12
Los Angeles		Retirement	Hon. Burt Pines	12/31/11
Los Angeles		Retirement	Hon. Peter D. Lichtman	11/30/11
Los Angeles		Retirement	Hon. Maral Injejikian	09/05/11
Los Angeles		Retirement	Hon. Michael Allen Latin	09/05/11
Los Angeles		Retirement	Hon. Judith L. Champagne	08/31/11
Los Angeles		Retirement	Hon. Martha Bellinger	07/31/11
Los Angeles		Converted	New Position	07/31/11
Los Angeles		Retirement	Hon. John P. Shook	07/15/11
Marin	2	Converted	New Position	09/27/12
Marin		Converted	New Position	07/01/11
Merced	1	Converted	New Position	01/03/12
Monterey	1	Retirement	Hon. Terrance R. Duncan	08/17/11
Napa	1	Retirement	Hon. Raymond A. Guadagni	09/28/12
Nevada	1	Dis	Hon. Julie A. McManus	07/02/12

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		Retirement		
Orange	8	Converted	New Position	10/02/12
Orange		Converted	New Position	08/24/12
Orange		Elevated	Hon. David A. Thompson	06/27/12
Orange		Retirement	Hon. Richard W. Stanford, Jr.	05/16/12
Orange		Retirement	Hon. Nancy A. Pollard	03/22/12
Orange		Converted	New Position	01/01/12
Orange		Retirement	Hon. Kazuharu Makino	09/30/11
Orange		Retirement	Hon. David C. Velasquez	09/09/11
Placer	2	Retirement	Hon. Robert P. McElhany	08/09/12
Placer		Retirement	Hon. Larry D. Gaddis	08/01/12
Riverside	2	Converted	New Position	08/24/12
Riverside		Converted	New Position	02/09/12
Sacramento	2	Retirement	Hon. Brian R. Van Camp	09/30/12
Sacramento		Converted	New Position	03/19/12
San Bernardino	4	Retirement	Hon. James Michael Welch	11/21/12
San Bernardino		Retirement	Hon. Douglas M. Elwell	11/13/12
San Bernardino		Retirement	Hon. Margaret A. Powers	11/30/11
San Bernardino		Retirement	Hon. Michael M. Dest	10/31/11
San Diego	5	Converted	New Position	11/13/12
San Diego		To Fed Court	Hon. Gonzalo P. Curiel	09/30/12
San Diego		Retirement	Hon. Frank A. Brown	03/31/12
San Diego		Retirement	Hon. William S. Cannon	03/31/12
San Diego		Retirement	Hon. William H. Kronberger	03/31/12
San Francisco	5	Retirement	Hon. Ellen Chaitin	11/02/12
San Francisco		Retirement	Hon. Donna A. Little	08/31/12
San Francisco		Retirement	Hon. Jerome T. Benson	01/20/12
San Francisco		Retirement	Hon. Tomar Mason	12/30/11
San Francisco		Retirement	Hon. Mary Carolyn Morgan	03/03/11
San Luis Obispo	1	Retirement	Hon. Teresa E. Mullaney	01/25/12

San Mateo	1	Retirement	Hon. H. James Ellis	08/31/11
Santa Clara	3	Retirement	Hon. Jerome E. Brock	09/02/12
Santa Clara		Retirement	Hon. Kenneth L. Shapero	07/31/12
Santa Clara		Retirement	Hon. Neal Anthony Cabrinha	06/30/12
Solano	1	Retirement	Hon. Allan P. Carter	02/25/11
Sonoma	1	Retirement	Hon. Mark Tansil	10/15/12
Tulare	1	Retirement	Hon. Gerald F. Sevier	09/16/12
<b>SUBTOTAL:</b>	<b>72</b>			

**Authorized January 1, 2008, 50 new (AB 159) judgeships.  
However, funding for these positions has not been provided.**

Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008
Yolo	1	(AB 159)*	New Position	1/1/2008
<b>TOTAL VACANCIES:</b>	<b>122</b>			

**Number of Judgeships Authorized,  
Filled and Vacant as of the End of Each Month  
December 2010—November 2012**

Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Dec-10	1,661	1,588	73	4.4%		105	102	3
Jan-11	1,662	1,606	56	3.4%		105	104	1
Feb-11	1,662	1,606	56	3.4%		105	104	1
Mar-11	1,662	1,594	68	4.1%		105	103	2
Apr-11	1,662	1,592	70	4.2%		105	103	2
May-11	1,662	1,590	72	4.3%		105	103	2
Jun-11	1,662	1,584	78	4.7%		105	102	3
Jul-11	1,673	1,581	92	5.5%		105	102	3
Aug-11	1,673	1,578	95	5.7%		105	102	3
Sep-11	1,673	1,572	101	6.0%		105	102	3
Oct-11	1,673	1,565	108	6.5%		105	101	4
Nov-11	1,673	1,563	110	6.6%		105	101	4
Dec-11	1,674	1,572	102	6.1%		105	101	4
Jan-12	1,675	1,567	108	6.4%		105	101	4
Feb-12	1,679	1,566	113	6.7%		105	100	5
Mar-12	1,680	1,562	118	7.0%		105	99	6
Apr-12	1,680	1,554	126	7.5%		105	99	6
May-12	1,680	1,568	112	6.7%		105	98	7
Jun-12	1,682	1,566	116	6.9%		105	100	5
Jul-12	1,682	1,560	122	7.3%		105	100	5
Aug-12	1,684	1,561	123	7.3%		105	100	5
Sep-12	1,685	1,554	131	7.8%		105	100	5
Oct-12	1,686	1,553	133	7.9%		105	100	5
Nov-12	1,687	1,565	122	7.2%		105	100	5

### Authorized Judgeships and Vacancies in the Superior Courts

