



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

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

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

TANI CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

March 14, 2011

Hon. Ellen M. Corbett
Senate Majority Floor Leader
State Capitol, Room 313
Sacramento, California 95814

Subject: SB 405 (Corbett), as introduced – Sponsor
Hearing: Senate Judiciary Committee – March 22, 2011

Dear Senator Corbett:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011–2012, in addition to any other conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

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

Legislation enacted in 2006 authorized the Judicial Council to convert 162 SJO positions in eligible courts to judgeships upon vacancy. That legislation also capped at 16 the number of

positions that could be converted in a single fiscal year. The council has converted the maximum number of positions for each of the four years since the conversion authority was provided, and had additional SJO vacancies in eligible courts for each of those four years. SB 405 does not increase the total 162 conversions authorized by statute. But by providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

For these reasons, the Judicial Council is pleased to sponsor SB 405.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna S. Hershkowitz', written over a horizontal line.

Donna S. Hershkowitz
Assistant Director

DH/lmb

cc: Kirstin Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research
Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor



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March 14, 2011

Hon. Noreen Evans, Chair
Senate Judiciary Committee
State Capitol, Room 4034
Sacramento, California 95814

Subject: SB 405 (Corbett), as introduced – Sponsor
Hearing: Senate Judiciary Committee – March 22, 2011

Dear Senator Evans:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011–2012, in addition to any other conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

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Hon. Noreen Evans

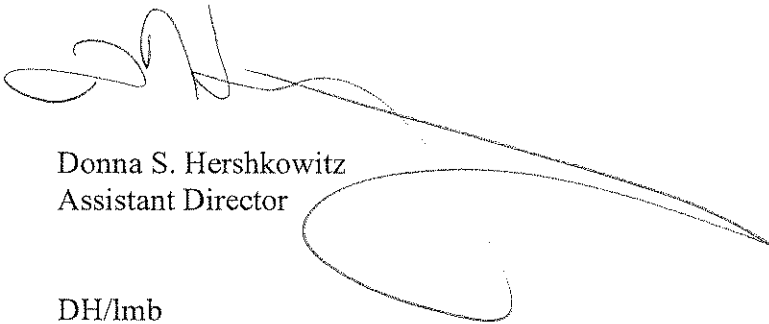
March 14, 2011

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For these reasons, the Judicial Council is pleased to sponsor SB 405.

Sincerely,

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Donna S. Hershkowitz
Assistant Director

DH/lmb

cc: Members, Senate Judiciary Committee

Hon. Ellen M. Corbett, Senate Majority Floor Leader

Saskia Kim, Chief Counsel, Senate Judiciary Committee

Kirstin Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research

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



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Director, Office of Governmental Affairs

April 5, 2011

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

Subject: SB 405 (Corbett), as introduced – Sponsor and Fiscal Impact Statement
Hearing: Senate Appropriations Committee – April 11, 2011

Dear Senator Kehoe:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011-2012, in addition to any other conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

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

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Hon. Christine Kehoe

April 5, 2011

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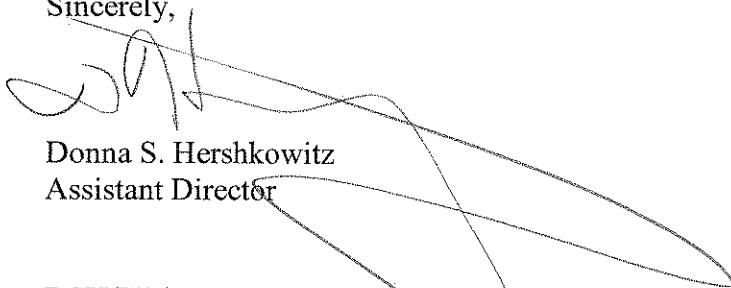
positions that could be converted in a single fiscal year. The council has converted the maximum number of positions for each of the four years since the conversion authority was provided, and had additional SJO vacancies in eligible courts for each of those four years. SB 405 does not increase the total 162 conversions authorized by statute. But by providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

Fiscal Impact

The cost to convert a SJO position to a judgeship is approximately \$27,000 (the salary difference between an SJO and a judge), therefore, permitting the conversion to be expedited by a year, the cost could be up to \$270,000. The costs for all conversions of SJO positions to judgeships have been absorbed within existing resources. The costs associated with expediting these conversions will be similarly absorbed.

Please contact Henry Sepulveda at 916-323-3121 or henry.sepulveda@jud.ca.gov if you have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Donna S. Hershkowitz
Assistant Director

DSH/HS/yt

cc: Members, Senate Appropriations Committee

Hon. Ellen Corbett, Member of the Senate

Mr. Seyron Foo, Legislative Aide, Office of Senator Corbett

Ms. Jolie Onodera, Consultant, Senate Appropriations Committee

Mr. Matt Osterli, Fiscal Consultant, Senate Republican Fiscal Office

Mr. Michael Miyao, Budget Analyst, Department of Finance



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RONALD G. OVERHOLT
Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

June 22, 2011

Hon. Felipe Fuentes, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Subject: SB 405 (Corbett), as introduced – Sponsor and Fiscal Impact Statement

Dear Assembly Member Fuentes:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011-2012, in addition to any other conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

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

Legislation enacted in 2006 authorized the Judicial Council to convert 162 SJO positions in eligible courts to judgeships upon vacancy. That legislation also capped at 16 the number of positions that could be converted in a single fiscal year. The council has converted the

Hon. Felipe Fuentes

June 22, 2011

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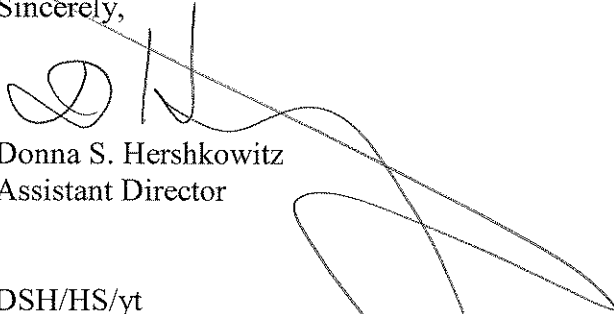
maximum number of positions for each of the four years since the conversion authority was provided, and had additional SJO vacancies in eligible courts for each of those four years. SB 405 does not increase the total 162 conversions authorized by statute. But by providing the possibility for expediting the conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges.

Fiscal Impact

The cost to convert a SJO position to a judgeship is approximately \$27,000 (the salary difference between an SJO and a judge), therefore, permitting the conversion to be expedited by a year, the cost could be up to \$270,000. The costs for all conversions of SJO positions to judgeships have been absorbed within existing resources. The costs associated with expediting these conversions will be similarly absorbed. Additionally, no court will be required to convert positions under the authority granted by this bill. To the extent a court does not believe it has sufficient resources to convert a position to a judgeship, it will not seek a conversion under SB 405.

Please contact Henry Sepulveda at 916-323-3121 or henry.sepulveda@jud.ca.gov if you have any questions about the fiscal impact of this legislation on the judicial branch.

Sincerely,



Donna S. Hershkowitz
Assistant Director

DSH/HS/yt

cc: Members, Assembly Appropriations Committee

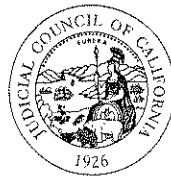
Hon. Ellen Corbett, Member of the Senate

Mr. Seyron Foo, Legislative Aide, Office of Senator Corbett

Mr. Chuck Nicol, Consultant, Assembly Appropriations Committee

Mr. Allan Cooper, Fiscal Consultant, Assembly Republican Fiscal Office

Mr. Michael Miyao, Budget Analyst, Department of Finance



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RONALD G. OVERHOLT

Chief Deputy Director

CURTIS L. CHILD

Director, Office of Governmental Affairs

June 9, 2011

Hon. Mike Feuer, Chair
Assembly Judiciary Committee
State Capitol, Room 2013
Sacramento, California 95814

Subject: SB 405 (Corbett), as introduced – Sponsor
Hearing: Assembly Judiciary Committee – June 21, 2011

Dear Assembly Member Feuer:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011–2012, in addition to any other conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

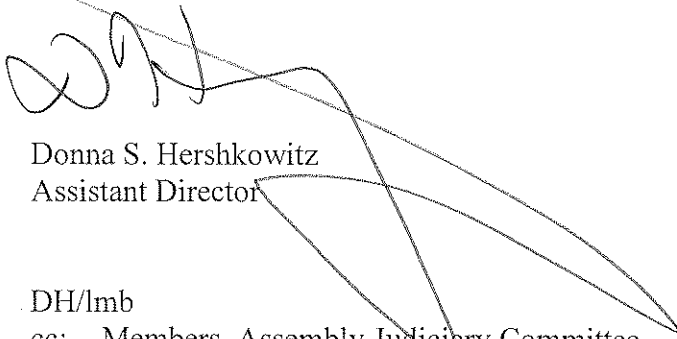
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For these reasons, the Judicial Council asks for your aye vote on SB 405.

Sincerely,

A large, stylized handwritten signature in black ink, likely belonging to Donna S. Hershkowitz, is written over the typed name and extends across the distribution list.

Donna S. Hershkowitz
Assistant Director

DH/lmb

cc: Members, Assembly Judiciary Committee
Hon. Ellen Corbett, Member of the Senate
Mr. Drew Liebert, Chief Counsel, Assembly Judiciary Committee
Ms. Kirstin Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research
Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor



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CURTIS L. CHILD
Director, Office of Governmental Affairs

September 2, 2011

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: SB 405 (Corbett) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to sponsor SB 405, which ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2011–2012, in addition to the 16 conversions authorized for the fiscal year, if the result of the conversion is a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

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Hon. Edmund G. Brown, Jr.

September 2, 2011

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For these reasons, the Judicial Council requests your signature on SB 405.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Donna S. Hershkowitz', is written over a horizontal line. The signature is stylized with a large loop at the end.

Donna S. Hershkowitz
Assistant Director

DH/lmb

cc: Hon. Ellen Corbett, Member of the Senate

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