



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-192

For business meeting on November 17, 2023

Title

Report to the Legislature: Measures to Promote Fair and Efficient Administration of Justice

Agenda Item Type

Information Only

Date of Report

September 21, 2023

Submitted by

Kristin Greenaway, Supervising Research Analyst
Office of Court Research, Business Management Services

Contact

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Executive Summary

The Judicial Council must adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice per Government Code section 77001.5. The attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, reports on judicial branch progress in the following areas: (1) providing equal access to courts and respectful treatment for all court participants; (2) case processing, including the efficient use of judicial resources; and (3) general court administration.

Relevant Previous Council Action

The council has received this report annually since 2013. Before 2013, the reports were submitted to the Legislature but not reviewed by the Judicial Council, because protocol at that time did not require council review on reports that did not include recommendations.

Analysis/Rationale

This annual report to the Legislature focuses the analysis on four key quantitative measures of trial court performance:

- Caseload clearance rates;
- Time to disposition;
- Stage of case at disposition; and
- Trials by type of proceeding.

These data are reported annually in the *Court Statistics Report*. The data used in this report are from fiscal year 2022–23, the most current data available at the time it was written.

In addition to these measures, this report also provides information on the availability of judicial branch resources that contribute to the fair and efficient administration of justice, including:

- Assessed need for new judgeships (Gov. Code, § 69614); and
- Status of the conversion of subordinate judicial officer positions to judgeships (Gov. Code, § 69615).

Finally, this report provides a brief narrative describing the Judicial Council–approved weighted caseload workload models, both judicial and staff, and how they relate to standards and measures of judicial administration.

Fiscal Impact and Policy Implications

This report relies on already-published measures of court performance, so the fiscal impact to produce it is minimal, apart from staff costs to assemble and transmit the report. Several courts continue to undergo case management system upgrades that have made production of these data elements difficult; this year, 18 courts were unable to report complete disposition data for all case types. However, many were only missing one or two disposition case type reports. Several years may pass before their case management systems are stable enough to produce complete and reliable data for all trial courts.

Attachments and Links

1. Attachment A: *Standards and Measures That Promote the Fair and Efficient Administration of Justice*



JUDICIAL COUNCIL of CALIFORNIA

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October 4, 2023

HON. PATRICIA GUERRERO
Chief Justice of California
Chair of the Judicial Council

Ms. Cara L. Jenkins
Legislative Counsel
1021 O Street, Suite 3210
Sacramento, California 95814

HON. BRAD R. HILL
Chair, Executive and Planning Committee

Ms. Erika Contreras
Secretary of the Senate
State Capitol, Room 305
Sacramento, California 95814

HON. ANN C. MOORMAN
Chair, Judicial Branch Budget Committee

HON. MARLA O. ANDERSON
Chair, Legislation Committee
Chair, Litigation Management Committee

Ms. Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 319
Sacramento, California 95814

HON. CARIN T. FUJISAKI
Chair, Rules Committee

HON. KYLE S. BRODIE
Chair, Technology Committee

Re: *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, as required under Government Code section 77001.5

Hon. Maria Lucy Armendariz
Hon. C. Todd Bottke
Hon. Jonathan B. Conklin
Hon. Carol A. Corrigan
Hon. Michelle Williams Court
Hon. Charles S. Crompton
Hon. Samuel K. Feng
Mr. David D. Fu
Hon. Maureen F. Hallahan
Ms. Rachel W. Hill
Hon. Brian Maienschein
Ms. Gretchen Nelson
Mr. Maxwell V. Pritt
Hon. Thomas J. Umberg

Dear Ms. Jenkins, Ms. Contreras, and Ms. Parker:

Under Government Code section [77001.5](#), the Judicial Council is submitting *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, on judicial administration standards and measures that promote the fair and efficient administration of justice.

ADVISORY MEMBERS


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Hon. Alin D. Cintean
Hon. Judith K. Dulcich
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Mr. Charles Johnson
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Hon. Erica R. Yew

MS. MILLICENT TIDWELL
Acting Administrative Director
Judicial Council

Ms. Cara L. Jenkins
Ms. Erika Contreras
Ms. Sue Parker
October 4, 2023
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If you have any questions related to this report, please contact Ms. Leah Rose-Goodwin, Chief Data and Analytics Officer, at 415-865-7708 or leah.rose-goodwin@jud.ca.gov.

Sincerely,



Millicent Tidwell
Acting Administrative Director
Judicial Council

MT/kg

Attachments

cc: Eric Dang, Counsel, Office of Senate President pro Tempore Toni G. Atkins
Emelyn Rodriguez, Policy Consultant, Office of Assembly Speaker Robert Rivas
Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office
Gabriel Petek, Legislative Analyst, Legislative Analyst's Office
Mark Jimenez, Budget Analyst, Department of Finance
Henry Ng, Budget Analyst, Department of Finance
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Mary Kennedy, Chief Counsel, Senate Public Safety Committee
Matthew Fleming, Consultant, Senate Appropriations Committee
Hans Hemann, Principal Consultant, Joint Legislative Budget Committee
Eric Csizmar, Consultant, Senate Republican Policy Office
Matt Osterli, Consultant, Senate Republican Fiscal Office
Morgan Branch, Consultant, Senate Republican Policy Office
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Sandy Uribe, Chief Counsel, Assembly Public Safety Committee
Nora Brackbill, Consultant, Senate Budget and Fiscal Review Committee
Jennifer Kim, Consultant, Assembly Budget Committee
Jay Dickenson, Chief Consultant, Assembly Appropriations Committee
Lyndsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget
Gary Olson, Consultant, Assembly Republican Office of Policy & Budget
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget
Cory T. Jasperson, Director, Governmental Affairs, Judicial Council
Leah Rose-Goodwin, Chief Data and Analytics Officer, Judicial Council
Jenniffer Herman, Administrative Coordinator, Governmental Affairs, Judicial Council

November 1, 2023

Standards and Measures That Promote the Fair and Efficient Administration of Justice

REPORT TO THE LEGISLATURE UNDER
GOVERNMENT CODE SECTION 77001.5



Judicial Council of California

Introduction

Government Code section [77001.5](#) requires the Judicial Council to adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice, including but not limited to:

- Provision of equal access to courts and respectful treatment for all court participants;
- Case processing, including the efficient use of judicial resources; and
- General court administration.

Standards and Measures

This report identifies Judicial Council–adopted measures and collected data that are responsive to the reporting requirements. The following standards and measures of judicial administration, included in this report since inception, are reported in the annual *Court Statistics Report*:¹

- Caseload clearance rates;
- Time to disposition;
- Stage of case at disposition; and
- Trials by type of proceeding.

Judicial Workload and Other Branch Programs and Resources

The need for new judgeships is a calculation of the judicial need among the courts that have fewer judgeships than their workload demands. Based on the most recent Judicial Needs Assessment (2022), 17 courts need new judgeships, for a total need of 98 full-time equivalent judicial officers statewide (see Appendix A).

Although the conversion of subordinate judicial officer (SJO) positions does not provide the courts with much-needed additional judicial officer positions, it does provide the courts with greater flexibility in the assignment of its judicial officers. Specifically, judges are authorized to preside over a broader range of proceedings than subordinate judicial officers are. A total of 157 SJO positions have been converted to judgeships since fiscal year 2007–08. There are five positions remaining to convert (see Appendix B).

Workload Models Update

Finally, this report provides a brief narrative describing the Judicial Council–approved weighted caseload models, both judicial and staff, and how they relate to standards and measures of judicial administration.

The Judicial Council has approved workload models that use weighted caseloads to assess where new judgeships and additional nonjudicial resources are most urgently needed and will have the biggest impact. The relative weight applied to different types of cases, however, requires

¹ Judicial Council of Cal., 2023 *Court Statistics Report: Statewide Caseload Trends 2012–13 Through 2021–22*, www.courts.ca.gov/13421.htm.

periodic review because of changes in the law, rules of court, technology, and practice, all of which affect the average amount of time required for case processing. Periodic review and, where necessary, revision of caseweights ensure that the allocation formulas reported to the Legislature and the Governor accurately reflect the current average amount of time required to resolve cases.

The Judicial Council's Workload Assessment Advisory Committee recommended that judicial and staff workload models be updated every five years to ensure that the models used to measure workload and to allocate resources use the most up-to-date information possible.² The staff workload model was updated and new weights finalized in 2017. The judicial workload model was updated in 2018, and new weights were finalized in 2019. Because of the COVID-19 pandemic, the next scheduled update to the staff workload model will be delayed beyond the five-year update goal.

Conclusion

This report has highlighted *quantitative* measures of trial court performance that promote the fair and efficient administration of justice.

Appendixes

1. Appendix A: 2022 Judicial Needs Assessment
2. Appendix B: SJO Conversions to Date

² The Workload Assessment Advisory Committee sunsetted on September 14, 2022, and its duties and responsibilities were assumed by the Data Analytics Advisory Committee, which was formed on March 11, 2022.

Appendix A. 2022 Judicial Needs Assessment

Court	Authorized and Funded Judicial Positions	2022 Assessed Judicial Need	Number of Judgeships Needed (B – A)	Percentage Judicial Need Over AJP (C / A)
Tehama	4.3	5.6	1	23%
Lake	4.7	5.5	1	21%
Humboldt	8.0	9.3	1	13%
Shasta	13.0	14.9	1	8%
Orange	144.0	145.3	1	1%
Madera	10.3	12.3	2	19%
Kings	10.6	13.0	2	19%
Placer	15.5	17.5	2	13%
Merced	13.0	15.1	2	15%
Stanislaus	26.0	28.1	2	8%
Tulare	25.0	28.6	3	12%
Sacramento	77.5	82.2	4	5%
San Joaquin	35.5	41.8	6	17%
Fresno	53.0	60.0	7	13%
Kern	47.0	58.8	11	23%
Riverside	89.0	111.7	22	25%
San Bernardino	100.0	130.5	30	30%
Total			98	

Appendix B. SJO Conversions to Date

Summary of SJO Conversions

	Positions Eligible for Conversion	SJO Conversions																Total Conversions to Date	Positions Remaining to Convert		
		07-08	08-09	09-10	10-11	11-12*	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23				
Courts Still Eligible for SJO Conversions																					
Placer	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
Unallocated SJO Conversion Positions**																					
	3																			3	
Courts That Have Completed Their SJO Conversions																					
Alameda	6	0	0	1	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	6	0
Contra Costa	4	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0
El Dorado	2	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Fresno	3	0	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0
Imperial	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Kern	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Los Angeles	79	4	5	7	7	8	6	7	7	7	5	5	9	1	1	1	0	0	0	79	0
Marin	2	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Merced	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Napa	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0
Orange	17	1	2	2	2	3	2	2	0	0	0	0	3	0	0	0	0	0	0	17	0
Riverside	6	1	1	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0	6	0
Sacramento	6	1	2	0	0	2	0	0	0	0	1	0	0	0	0	0	0	0	0	6	0
San Diego	7	2	0	0	0	0	1	1	0	2	0	1	0	0	0	0	0	0	0	7	0
San Francisco	2	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
San Luis Obispo	2	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2	0
San Mateo	2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2	0
Santa Barbara	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Santa Cruz	2	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2	0
Solano	3	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0
Sonoma	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Stanislaus	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Tulare	2	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	0
Yolo	2	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	0
Total	162	16	16	16	16	20	13	11	9	11	6	6	15	1	1	0	0	0	0	157	5

Last Updated: September 2023

* Note: The total conversions in FY 2011–12 exceed 16 because of the enactment of Senate Bill 405, which increased the number of allowable conversions in specific circumstances for this fiscal year.

** Note: Three positions became newly available for reallocation as a result of the Contra Costa Superior Court's elimination of 3 conversion-eligible SJO positions.

Shaded rows represent courts that have completed all of the conversions for which they are eligible.