



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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Executive Summary

The following information outlines some of the many activities staff is engaged in to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the council's August meeting and is exclusive of issues on the October business meeting agenda.

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Court Statistics Report: The annual California *Court Statistics Report* was published, providing detailed caseload information for the most recent 2013–2014 fiscal year as well as 10-year statewide summaries of superior court filings and dispositions, with similar workload indicators for the Supreme Court and Courts of Appeal. Filings in high-workload cases in the superior courts—including felonies, probate and mental health cases, and dependency cases—are increasing. Felony filings increased by 4 percent in fiscal year 2013–14, for example, while filings involving mental health were up 9 percent, probate filings were up 7 percent, and dependency filings were up 4 percent. Superior court filings data is used in the two workload models adopted by the Judicial Council—the Judicial Workload Assessment and the Resource Assessment Study model—and is also used to identify subordinate judicial officer positions for conversion to judgeships. This annual publication fulfills the provisions of article VI, section 6 of the California Constitution, which requires the Judicial Council to survey the condition and business of the California courts.

Traffic Tickets/Infractions Amnesty Program: Staff provided strong support to courts and counties in the lead up to the October 1, 2015, implementation of the statewide traffic tickets/infractions amnesty program. Assistance included development of a webpage that includes amnesty guidelines, sample forms, frequently asked questions and answers, relevant legislation, flyers/posters, and a YouTube video. Staff also prepared and delivered web-based informational sessions for entities administering the program and advocacy groups, reaching more than 500 individuals from the courts and counties, and almost 60 local government and legal aid groups. Work is now focused on day-to-day support of local programs, and, in partnership with the Department of Motor Vehicles, the development of options to address situations where individuals have a driver’s license hold in more than one county.

Trial Court Employee Relations: Staff has been assisting 18 trial courts with labor negotiations (covering 24 bargaining units), including impact bargaining issues and proposed policy revisions. In this reporting period, 11 successor Memoranda of Understanding have been ratified in seven courts (a ratification vote at one court is still pending). Support is being provided to 11 trial courts in responding to 15 labor matters (e.g., assisting with a grievance, responding to the Public Employee Relations Board, or advising on contract interpretation). Support is also being provided to 11 trial courts in responding to 28 employee relations matters (e.g., investigations, discipline, mediation between employees, etc.)

Technology

Annual Disaster Recovery Exercise: The annual technology center disaster recovery exercise, which took place during this reporting period, helps ensure that vital court services and data and communications can be restored at a designated location in the case of a disaster. Executives, management, and staff from four superior courts (Sacramento, Ventura, San Joaquin, and San Benito); business and justice partners; and vendor organizations worked with the Judicial Council to successfully conduct this year’s exercise.

Telecommunications Infrastructure and Security: The primary benefit of this program is to provide the trial courts with a standardized level of network infrastructure and security services to sustain local and enterprise court applications. Forty-eight trial courts require equipment replacement during this fiscal year. The focus of this cycle for 23 courts is replacement of routers and wireless Local Area Network controllers are nearing manufacturer's end of support deadline. Three updates have been completed. The remaining courts will be scheduled as resources are available; completion is expected by the end of January 2016.

Enterprise Methodology and Process: This program promotes industry standards, guidelines, and best practices for project management and technical operations that span information technology, and which can be applied to other business areas. The principal focus this period was on project and performance management, including optimizing use of a project portfolio management tool to track the status on more than 80 information technology projects.

Appellate Court Case Management System: E-filing was successfully implemented for the Court of Appeal, Third Appellate District. This implementation includes additional functionality for uploading court-generated documents and paper-based filer submissions.

Trial Court Case Management Systems:

- Case management system vendors, including Justice Systems, Journal Technologies, and Tyler Technologies, received data exchange specifications to enable case management systems to automatically send protective order data and respective forms to the system.
- *Civil, Small Claims, Probate, and Mental Health Case Management System (V3):* This system is used by the Superior Courts of Orange, Sacramento, San Diego, San Joaquin, and Ventura Counties, and processes approximately 25 percent of civil, small claims, probate, and mental health cases statewide. Judicial Council staff provided final data conversion support for the San Joaquin transition to a new case management system. Development and release testing for V3 Release 13.02 was completed and the release made available to the courts for user acceptance testing. This release delivers bug fixes and functional improvements as prioritized by user courts.
- *Sustain Justice Edition:* This case management system is hosted for eight courts at the California Courts Technology Center. Maintenance activities included production support updates, system patching, license renewals, and security certificate renewals. Staff continues to discuss the path forward for case management system needs with the Sustain Justice Edition Consortium member courts.

Computer-Aided Facilities Management System: Enhanced system functionality for labor cost uploads into this system used to manage over 500 judicial branch facilities was deployed for production. The enhanced functionality provides robust validation of uploaded data as well as support when a technician has multiple labor rates.

Supreme Court – Court Appointed Counsel System: This system processes compensation claims from counsel appointed by the Supreme Court to represent indigent parties for capital

cases, processing court-appointed counsel payments totaling over \$5.9 million annually. The system was upgraded.

Uniform Civil Fees System: This system supports distribution and mandated reporting of uniform civil fees collected by the superior courts, with an average of \$52 million distributed per month. Distribution changes were implemented for the Superior Court of Merced County.

Facilities

Capital Projects: There are 25 active capital projects totaling \$3.0 billion and a total of eight projects in construction totaling over \$1.4 billion.

New Courthouse Dedication:

- The new seven-courtroom Yuba City courthouse for the Superior Court of Sutter County was dedicated on August 24, 2015.
- A dedication ceremony was held in Woodland on October 1, 2015, for the new 14-courtroom courthouse for the Superior Court of Yolo County.

Facility Modifications

<i>Status</i>	<i>Number of Modifications</i>	<i>Total Estimated Cost</i>
In Progress	462	\$100.4 million
Awaiting Shared Cost Approval	7	\$4.9 million
<i>Total</i>	469	\$105.3 million

Real Estate Transactions

During this period, 34 real estate transactions were completed, including new leases, new revenue licenses, terminations, and event licenses, as follows:

New Leases

- North Spring Street, Los Angeles County
- Chino Courthouse, Central Avenue, San Bernardino County

New Revenue Licenses

- King City Courthouse(Short-Term), Monterey County
- City of Anaheim (Antenna), North Justice Center, Fullerton, Orange County

Lease/License Terminations

- Missions Building, I Street, Madera County
- Valley Wide Vending Company, Madera Superior Court Building, Madera County
- Traffic Court Lease, Visalia Convention Center, Tulare County
- Superior Court Administration, Main Street, Woodland, Yolo County

Event Licenses: 26 short-term event licenses were executed.

Legislation:

- SB 682 by Senator Leno was vetoed by Governor Brown. The proposed bill would have established standards for when a trial court intends to enter into, renew, or extend a contract for any services that are “currently or have been customarily performed” by that trial court’s employees. The Judicial Council adopted an “oppose unless amended” position on this bill. Opposition letters were also submitted by many of the courts. The bill was substantially similar to AB 566, which was vetoed by the Governor in 2013 and AB 2332, which was held in the Senate Appropriations Committee in 2014.
 - *Judicial Council-Sponsored Legislation:* Five out of eight Judicial Council-sponsored bills for the 2014–2015 legislative session were signed into law by the Governor; two proposals were carried over as two-year bills; and one bill was vetoed—see below. The current status report on 2015 legislation considered by the Judicial Council’s Policy Coordination and Liaison Committee during the 2015–2016 legislative session is online at: <http://www.courts.ca.gov/documents/legislative-status-chart-2015.pdf>.
1. AB 249 (Oberholte) – Criminal courts: appeals: fees: Prohibits appeals based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court. Lists statutory exceptions to appellate procedure set forth in Penal Code section 1237.2. Signed into law (Stats. 2015, ch. 194).
 2. AB 1081 (Quirk) – Protective orders: Amends restraining order statutes to eliminate the current provisions concerning the reissuance of temporary orders and replace them with new provisions providing a procedure for continuance of hearings. Signed into law (Stats. 2015, ch. 411).
 3. AB 1519 (Committee on Judiciary) – Judiciary omnibus: family support: Sponsored portion ratifies the authority of the Judicial Council to convert 10 subordinate judicial officer positions to judgeships in the 2015–2016 fiscal year when the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer. Signed into law (Stats. 2015, ch. 416).
 4. SB 470 (Jackson) – Civil actions: summary judgment: Provides that in granting or denying a motion for summary judgment or summary adjudication, the court need rule only on those objections to evidence that it deems material to its disposition of the motion, and that objections to evidence that are not ruled on for purposes of the motion are preserved for appellate review. Signed into law (Stats. 2015, ch. 161).
 5. SB 517 (Monning) – Supervised persons: release: Provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a

period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued. Signed into law (Stats. 2015, ch. 61).

6. SB 213 (Block) – Juries: criminal trials: peremptory challenges: As amended April 28, 2015. Reduces the number of peremptory challenges available in misdemeanor trials from ten to six in cases where the offense is punishable with a maximum term of imprisonment of one year or less. Specifies further that, in cases where two or more defendants are tried jointly, the number of additional “non-joint” peremptories (i.e., those that may be exercised separately by each defendant and the state) would be reduced from four to two. Contains a five-year sunset of the bill’s provisions. Assembly Public Safety Committee, two-year bill.
7. AB 1214 (Achadjian) – Probation sentencing report: good cause continuance: As introduced. Requires courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report by the required deadlines. Assembly Public Safety Committee, two-year bill.
8. SB 229 (Roth) – Funding of judicial positions: As amended August 28, 2015. Appropriates \$5 million in funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment. Vetoed.

Bench-Bar Coalition: The Bench-Bar Coalition held its annual meeting in conjunction with the State Bar Annual Conference and was attended by more than 80 members. An educational panel on Access to Justice through Efficiencies featured innovative new programs at the Superior Courts of Sacramento and Orange Counties.

Executive Branch Outreach: Governmental Affairs staff accompanied Department of Finance representatives on a visit to the Superior Court of San Francisco County’s behavioral health and traffic courts, and in observing some dependency proceedings.

Court Interpreter Testing: Certification examinations in Farsi beginning fall 2016 were announced. Current registered interpreters will have three opportunities to pass the exam to transition from Registered to Certified status. As of March 2018, registered status will no longer be recognized for Farsi interpreters, and certification will be required to maintain employment with the courts.

Proposition 47: Throughout September and October, staff conducted site visits to five counties (Kern, San Bernardino, San Diego, Shasta, and Santa Clara), as part of an assessment of the impact of Proposition 47 on the courts.

Grants:

- *Recidivism Reduction Grants:* Staff reviewed eight proposals submitted by trial courts for Recidivism Reduction Fund Training and Technical Assistance Grants. All eight proposals

will be funded, providing approximately \$120,000 to support site visits, educational events, consulting services, and other requests of courts interested in training in best practices to reduce recidivism.

- *Substance Abuse Focus Grant – Technical Assistance:* Staff were invited to attend a meeting at the Superior Court of Fresno County to discuss the Substance Abuse Focus Grant and financial responsibilities and requirements within the grant program. Staff had the opportunity to view the Youth Court Video Challenge, a project made possible with the grant funds.
- *Access to Visitation Grant Program Site Visits:* Staff participated in program court/subcontractor site visits to the Superior Court of Mono County for the court's Access to Visitation Eastern Sierra Supervised Visitation Program and to the Superior Court of Shasta County for the court's Unified Parental Access Program. The Judicial Council is required to provide technical assistance to grant recipient superior courts to support program development and implementation of effective practices as well as compliance with standards of practice, Rules of Court, and federal and state grant requirements.

Family Dispute Resolution Site Visit: Staff met with Family Court Services directors and staff of the Superior Courts of Fresno and Orange Counties to conduct assessments of trainings provided to court staff and management in fulfillment of their continuing education needs pursuant to California Rules of Court, and to gather input on proposed future training topics, faculty, delivery modes, and instructional methodologies.

Judicial Resources and Technical Assistance Program: At the court's invitation, a staff attorney visited the juvenile courts in Colusa, Glenn, Stanislaus, Tulare, Tuolumne, and Ventura Counties to conduct a courtesy file review and identify legal issues and training needs.

Juvenile Justice Reform: The National Conference of State Legislatures/National Center for State Courts collaborative, cross-branch Juvenile Justice Reform State Teams' meeting was held in San Francisco. State teams worked on state issues and action plans related to juvenile justice reform. The California team included representatives from the Legislature (Senator Mark Leno and Assembly member Reginald Jones-Sawyer), the courts (Hon. Marla O. Anderson, Hon. Stacy Boulware-Eurie, Hon. Maria D. Hernandez, Mr. David Yamasaki), the Division of Juvenile Justice (Mr. Michael Minor), and the Judicial Council (Ms. Diane Nunn and Ms. Audrey Fancy).

Dependency Court-Appointed Counsel Focus Groups: As part of the Judicial Council's efforts to collect statewide information about court-appointed dependency counsel workload and needs, staff invited case-carrying, court-appointed dependency counsel to participate in focus groups. The purpose of the groups was to have an in-depth discussion about the factors that affect an attorney's workload and ability to provide quality representation to clients. Results of the focus groups, along with findings from the surveys conducted and from analysis of existing data, were presented to the Trial Court Budget Advisory Committee and Family and Juvenile Law Advisory Committee's Joint Subcommittee on Court Appointed Counsel Allocation Methodology.

Child Welfare Council: The council expressed appreciation to departing Judicial Council staff member Marymichael Miatovich for four years of service to its Permanency Committee.

Appellate Project Directors: Directors for the five appellate projects met with staff to discuss statewide Courts of Appeal court-appointed counsel issues and budget including the fiscal impact of the new claims processing and case management system.

Advisory Committees/Task Forces/Working Groups

The following committees met in person or by phone since the council's August meeting:

1. Administrative Presiding Justices Advisory Committee
2. Advisory Committee on Providing Access and Fairness
3. Appellate Indigent Defense Oversight Advisory Committee
4. Center for Judicial Education and Research Governing Committee
5. Collaborative Justice Courts Advisory Committee
6. Court Facilities Advisory Committee-Courthouse Cost Reduction Subcommittee
7. Criminal Law Advisory Committee
8. Information Technology Advisory Committee
9. Traffic Advisory Committee
10. Trial Court Budget and Family and Juvenile Law Advisory Committees
11. Tribal Court-State Court Forum
12. Workload Assessment Advisory Committee
13. AB 1058 Funding Allocations Joint Subcommittee¹
14. Language Access Plan Implementation Task Force
15. Mental Health Issues Implementation Task Force

Meeting Details

Administrative Presiding Justices Advisory Committee: Discussed a policy on appellate attorneys performing pro bono legal work, appellate court education and training programs, an E-filing update, and fiscal matters impacting the appellate courts.

Advisory Committee on Providing Access and Fairness

- Discussed issues of access to the courts for low-income persons, court processes affecting self-represented litigants, strategies for improving diversity in the courts, and educational resources for courts on issues of access, fairness, and diversity.

¹ Representative members of the Family and Juvenile Law Advisory Committee, Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and the California Department of Child Support Services.

Appellate Indigent Defense Oversight Advisory Committee

- Reviewed 140 final court-appointed cases (criminal and dependency) for compliance with policies and procedures.

Training Initiative Subcommittee and Five Plus (Project Oversight and Analysis of Triggered Claims Procedures) Subcommittee

- Approved five adjustment letters and three accommodation letters. Held over one case until December meeting.
- Discussed quarterly reports that analyzed cost trends, program expenditures, and training programs.

Center for Judicial Education and Research Governing Committee

- Discussed revisions to the 2014–2016 Education Plan, a report on the recently held 2015 Witkin Judicial College, updating probate benchguides, and an update on the Governing Committee’s annual agenda item on assessing local court educational needs.

Collaborative Justice Courts Advisory Committee

- Discussed the impact of Proposition 47 on drug courts, changes in legislation, work with the parolee population and parolee reentry court outreach, changes to Department of Justice reporting, Substance Abuse Focus Grants, Dependency Drug Court Augmentation, and Recidivism Reduction Grants.
- Discussed the proposed amendment to Welfare & Institutions Code §709 concerning juvenile competency.

Court Facilities Advisory Committee

- Reviewed a naming proposal for a courthouse of the Superior Court of Placer County.
Courthouse Cost Reduction Subcommittee
- Reviewed and approved the 25 percent design development documents of the new Sonora courthouse project in Tuolumne County.

Criminal Law Advisory Committee

- Continued development of various legislative proposals, including realignment clean-up and proposals to determine the location of a sentence that is combined from more than one case in more than one county.

Information Technology Advisory Committee

- Recommended three updated rule proposals following public comment regarding:
 - 1) a comprehensive set of proposed rule amendments to facilitate e-filing, e-service, and e-business, 2) authorized electronic service on the courts that consent to such service, and 3) public access to electronic appellate court records.
- Recommended for Judicial Council Technology Committee and Judicial Council consideration the Information Security Framework Workstream final deliverables. These deliverables complete the workstream tactical initiative in the tactical plan for technology. The guide assists the superior courts in establishing local information security policies and procedures based on the framework published by the council. Courts are not required to

implement the framework in its entirety; rather, the intent is to encourage use of the framework as a template to develop security policies appropriate to local business requirements.

Traffic Advisory Committee

- Drafted a revised statewide Uniform Bail and Penalty Schedules for 2016 to circulate for comment and submit for adoption by the council.
- Ongoing development of additional rules, forms, and other proposals to facilitate access to justice in infraction proceedings.

Trial Court Budget and Family and Juvenile Law Advisory Committees

Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee

- Reviewed information gathered regarding dependency attorney salaries, benefits, overhead, and other administrative costs; data definitions for court reporting of dependency filings; and workload time standards and current data for each phase of a dependency case.
- Reviewed data from a recent survey of dependency providers on workload and caseload, as well as preliminary reports from focus groups held with dependency attorneys. Plans to draft recommendations for the respective advisory committees by December 2015.

Tribal Court-State Court Forum

- Discussed tribal consultation policy, information-sharing regarding policies relating to conservatorships, and transfer agreements between tribal and state court.
- Discussed the project to promote Indian law proficiency for law students.
- Approved the Court Administrator Toolkit, a joint project of the forum and the Court Executives Advisory Committee.
- Approved the recommendation to submit comments in support of the proposed statewide Indian Child Welfare Act regulations (subsequently approved by the council's Policy Coordination and Liaison Committee).
- Discussed new member orientation, the process for filling the tribal court judge forum cochair position, and case law update.
- Addressed news from the U.S. Department of Justice, which is launching an initial phase of the Tribal Access Program for National Crime Information to provide federally-recognized tribes access to national crime information databases for both civil and criminal purposes.
- Discussed Jurisdictional Tools for Judges and Law Enforcement, the Report on Partnership with the CJER Governing Committee's curriculum committees to make recommendations to incorporate federal Indian law into CJER online judicial educational materials.

Workload Assessment Advisory Committee

- Received an update on the work of the AB 1058 Funding Methodology Joint Subcommittee; received a report-back and recommendations from the Special Circumstances Subcommittee, which resulted in a unanimous vote not to incorporate a separate special circumstances homicide caseweight into the Resource Assessment Study (RAS) model at this time, but to more specifically study the workload in the next RAS update; unanimously approved an extension to the timeline for the RAS update and corresponding changes to the committee's

annual agenda to be forwarded to the Executive and Planning Committee; and discussed the need for criteria to evaluate requests for changes to the RAS model.

AB 1058 Funding Allocations Joint Subcommittee

- Discussed the Reallocation Subcommittee report, presentations on the current process for establishing allocations, family law facilitator data, alternative measures and funding methodologies, data and performance measures from the Department of Child Support Services, Judicial Branch Statistical Information System measures, and data collection, adjustments to pro rata allocations, and regional sharing of resources.
- Discussed plans for soliciting additional input and identifying additional information that might be required.

Language Access Plan Implementation Task Force

- Ongoing development of a progress monitoring database, weekly calls with the National Center for State Courts to ensure timely delivery of quality work products, and subcommittee meetings.

Mental Health Issues Implementation Task Force

- Discussed mental health related matters including the proposed amendment to Welfare & Institutions Code §709 concerning juvenile competency and the final report of the task force.

Judicial Branch Education and Training

Summary

Judicial Education

1. Commission on Judicial Performance Special Masters Training
2. Qualifying Judicial Ethics
3. Primary Assignment Orientation for AB 1058 Child Support Commissioners
4. Criminal Law Primary Assignment Orientation
5. New Judge Orientation
6. Immigration Issues in Domestic Violence

Judicial Officer, Court Employee, and Justice System Stakeholder Education

7. AB 1058 Child Support Training Conference
8. Coaching: Building Positive Relationships
9. Family Court Services Directors, Managers, and Supervisors Training Symposium
10. Incompetence to Stand Trial (for staff from Disability Rights California)
11. Institute for Court Management – Leadership
12. Labor Relations Forum
13. Microsoft Office

Judicial Publications

14. Civil Proceedings Benchbook: Discovery, 2015 update
15. Revised Bench Guide: Landlord-Tenant Litigation: Unlawful Detainer
16. Revised Bench Guide: Lanterman-Petris-Short (LPS) Conservatorship Proceedings

Distance Education

17. Managing Resistance in the Workplace
18. Pretrial Civil Motions: Types, Processes, and Procedures
19. Continuing the Dialogue: The Americans with Disabilities Act at 25 (judicial officers and court staff)
20. Mental Competency Procedures: Step-by-Step (court staff)
21. Managing Resistance in the Workplace (managers and supervisors)
22. Pretrial Civil Motions: Types, Purposes and Procedures (court staff)
23. Inspiring Your Staff to Unite as a Team (court staff, managers, and supervisors)
24. Toolkit Orientation videos
25. Ten-Minute Mentor: Family Law Calendar Management

Webinars

26. Introduction to Delinquency

Details

AB 1058 Child Support Training Conference: This statewide training conference was attended by more than 370 child support commissioners, family law facilitators, paralegals, court clerks, and administrative and accounting staff. Key justice partners including the Commissioner of the Federal Office of Child Support Enforcement (OCSE), California Department of Child Support Services executive team members, and representatives of local child support agencies also attended. The OCSE Commissioner gave a plenary presentation on new directions in federal child support. A day-long primary assignment and new child support orientation were included, and attendance at the conference satisfied training requirements for court staff. The cost of the training was covered by grant funding.

Coaching—Building Positive Relationships: A three-hour course was provided in two locations for court personnel attending the California Court Association training days. The course focused on improving the ability to connect with co-workers and building positive, effective relationships in the workplace.

Domestic Violence Forum 2015: Welfare & Institutions Code §300 (b) (2) Cases Involving Sexually Trafficked Minors: The forum included court-led multidisciplinary teams from eight counties. Participants heard presentations and brainstormed about how new legislation passed in 2014, allowing dependency petitions to be filed for commercially sexually exploited children can be implemented in California’s courts. The forum was funded by the federal Violence Against Women Act.

Domestic Violence Webinar: “Child Custody and Domestic Violence: 3011, 3044, and New Cases” webinars for court-based Family Court Services child custody mediators, recommending counselors, and evaluators focused on new appellate decisions addressing child custody, domestic violence, and related issues, and delved into the details of Family Code sections 3011 and 3044, which address the handling of child custody matters involving domestic violence.

Family Court Services Directors, Managers, and Supervisors Training Symposium: Participants had discussions related to changes in the federal child support program and the potential impact on child custody mediation, the changes occurring in family court services management across the state, and best practices for communicating and working with the court bench and administration. There was also a didactic, experiential presentation on identifying and processing trauma in children and families of divorce.

Family Court Services Mediator Training: The Superior Court of Fresno County hosted a Family Court Services mediators training with support from the Judicial Council’s Family Court Services Directors Training and Technical Assistance Project. The training included a mediation skills-based training on the changes to the tier mediation system, interviewing children, the local Multi-Disciplinary Child Interview process utilized by law enforcement, and domestic violence issues.

Incompetence to Stand Trial: Governmental Affairs staff conducted training on incompetence to stand trial issues for staff from Disability Rights California.

Institute for Court Management – Leadership: A two-and-a-half day course was provided on the National Association for Court Management’s core competencies on acquiring the knowledge and skills of leadership, while exploring participants’ own readiness to acquire a leadership role.

Labor Relations Forum: Representatives from 37 courts participated in labor relations forums in Northern and Southern California.

Managing Resistance in the Workplace: This broadcast for court managers and supervisors focused on how leaders can improve their skills when dealing with resistant behaviors in the workplace.

Microsoft Office: Several course sessions were conducted for the Superior Courts of Stanislaus and Alameda Counties.

Pretrial Civil Motions: Types, Processes and Procedures: This broadcast provided court personnel working in Civil courts with information to successfully complete the processing of pretrial motions from filing to the proposed order.

Permanency Planning Strategies for Dependency and Delinquency Professionals: The Judicial Council’s Center for Families, Children & the Courts collaborated with the National

Institute for Permanent Family Connectedness, Seneca Family of Agencies, for interdisciplinary education on permanency and the courts. The training covered new case law and legislation emphasizing urgency to include permanency, systemic and practice changes needed to improve permanency, utility of a relational approach to prioritize permanency with non-minor dependents, and strategies that increase family involvement as a key factor to reduce length of stay, attain permanence, and promote well-being.

Reasonable Efforts Training: Court training in Stanislaus and Yuba Counties provided information for judges, attorneys, social workers, probation officers, and other participants in the child protection system about the legal requirements of a reasonable efforts finding throughout the life of a child protection case.

Expanding the Conversation Beyond Child Welfare: A Discussion of Competency, Nonminor Dependents, and More: This program, intended for judges and attorneys working in juvenile dependency, focused on the most vulnerable adults in the child welfare system: parents and nonminor dependents with disabilities. The topics covered included the continuum of alternatives to support adults with mental capacity issues in decision-making, specific issues to consider for nonminor dependents with disabilities that may affect decision-making, and the ethical obligations of the legal community when helping these adults.

Staffing Report as of September 30, 2015

See following page for definition of terms.

STAFFING	Leadership Services Division								Operations and Programs Division						Administrative Division						Judicial Council
	Executive Office	Governmental Affairs	Audit Services	Legal Services	Judicial Council Support	Communications	Special Projects	Trial Court Liaison	Center for Families, Child. & Courts	Court Operations Services	Criminal Justice Services	Center for Judiciary Education & Research	Appellate Court Services	Capital Programs	Finance	Human Resources	Information Technology	Admin Support	Real Estate & Facilities Mgmt	Trial Court Admin Services	
Authorized Position (FTE)	7.00	12.00	14.00	58.00	11.80	7.00	7.00	8.00	66.00	43.60	16.00	48.50	7.00	56.00	84.00	40.00	124.00	30.00	88.00	88.00	815.90
Filled Authorized Position (FTE)	6.00	10.00	11.00	41.70	11.60	6.00	7.00	8.00	53.35	36.80	13.10	44.30	6.00	47.00	71.00	33.00	100.88	28.80	79.00	81.88	696.41
Headcount - Employees	6	10	11	42	12	6	7	8	54	37	14	45	6	47	71	33	101	29	79	82	700.00
Vacancy (FTE)	1.00	2.00	3.00	16.30	0.20	1.00	0.00	0.00	12.65	6.80	2.90	4.20	1.00	9.00	13.00	7.00	23.13	1.20	9.00	6.13	119.51
Vacancy Rate (FTE)	14.3%	16.7%	21.4%	28.1%	1.7%	14.3%	0.0%	0.0%	19.2%	15.6%	18.1%	8.7%	14.3%	16.1%	15.5%	17.5%	18.7%	4.0%	10.2%	7.0%	14.6%
Temporary Employee (909)	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	2.00
*Employment Agency Temporary Worker (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	1.0	0.0	0.0	0.0	4.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	0.0	1.0	6.6	0.0	0.0	43.15	0.0	0.0	1.0	52.25
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	7.00	10.00	11.00	41.70	11.60	6.00	7.00	8.00	54.35	37.30	13.10	44.30	7.00	53.60	73.00	33.00	145.03	28.80	80.00	82.88	754.66

Definitions:	
Authorized Position (FTE)	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.
Filled Authorized Position (FTE)	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
Headcount	The actual count of persons employed, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". It does not include Temporary Employees (909) or Employment Agency Temporary Workers.
Vacancy (FTE)	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
Vacancy Rate (FTE)	Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes temporary employees ("909" funded employees). See definition of temporary employees below.
Temporary Employees (909)	The 909 category is the State Controller code used to reference a temporary position or temporary employee. A 909 position may not be funded through the Budget Act. It is categorized as a temporary position in the absence of an authorized position. 909 positions may be occupied by reg full-time employees due to the unavailability of an authorized vacant position and may receive benefits if employed at least half-time for more th months. Types of "909" Employees include: Retired Annuitants: A retiree hired by a former employer or other employer that participates in the retirement system as the former employer. This includes a former participant in a state retirement system who previously retired and currently receives retirement benefits. Temporary Employees: Employed on a temporary basis - they do not receive full benefits (but do receive Calpers retirement service credit).
Employment Agency Temp. Worker (FTE)	These are workers from an employment agency who provide short-term support for workload.
Contractor (FTE)	Individuals augmenting the work of the organization 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 classification and/or job description or (2) where recruitment issues require the use of a contractor.
Full Time Equivalency (FTE)	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 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.
Time Base	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.
Regular Employee	Commonly referred to as "permanent employees" – They receive full benefits.
Limited Term	Limited Term Position – A position funded through the Budget Act with a specific end date and counted as an authorized position. Employee in limited term positions may be regular or temporary.

New Judgeships and Vacancies Report

Number of Judgeships Authorized, Filled and Vacant as of **September 30, 2015**

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	101	4	0	101	4
Superior Courts	58	1,715	1,596	69	50*	1,603	112
All Courts	65	1,827	1,704	123		1,711	116

*Fifty new judgeships were authorized in January 2008 with the enactment of AB 159 (Chapter 722, Statutes of 2007). However, funding for the 50 positions has not been provided.

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Second Appellate District, Division Six	2	Retirement	Hon. Paul H. Coffee	01/31/12
Second Appellate District, Division Seven		Retirement	Hon. Fred Woods	03/31/15
Fourth Appellate District, Division Two	1	Retirement	Hon. Betty Ann Richli	03/31/15
Fifth Appellate District	1	Retirement	Hon. Dennis A. Cornell	06/30/15
TOTAL VACANCIES	4			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	4	Retirement	Hon. Steven A. Brick	09/02/15
		Retirement	Hon. Cecilia P. Castellanos	07/31/15
		Retirement	Hon. David M. Krashna	06/05/15
		Retirement	Hon. John M. True III	01/22/15
Amador	1	Retirement	Hon. Susan C. Harlan	01/16/15
Butte	1	Deceased	Hon. Denny R. Forland	12/20/14
Contra Costa	1	Retirement	Hon. David B. Flinn	04/30/14
Fresno	3	Retirement	Hon. Carlos A. Cabrera	08/01/15
		Retirement	Hon. Wayne R. Ellison	04/12/15
		Elevated	Hon. M. Bruce Smith	12/09/14
Kern	1	Retirement	Hon. Larry Errea	08/19/15
Los Angeles	24	Retirement	Hon. Elia Weinbach	09/30/15
		Retirement	Hon. Reva G. Goetz	09/21/15
		Retirement	Hon. Richard A. Stone	08/28/15
		Retirement	Hon. Thomas I. McKnew, Jr.	08/03/15
		Retirement	Hon. Tia G. Fisher	07/31/15
		Retirement	Hon. Allan J. Goodman	07/30/15
		Elevated	Hon. John L. Segal	07/22/15
		Elevated	Hon. Luis A. Lavin	07/22/15
		Deceased	Hon. Jan A. Pluim	06/28/15
		Retirement	Hon. Leland B. Harris	05/08/15
		Retirement	Hon. Arthur Jean	04/30/15
		Retirement	Hon. Owen Lee Kwong	04/30/15
		Retirement	Hon. Ronald V. Skyers	04/30/15
		Retirement	Hon. Patrick J. Hegarty	03/31/15
		Retirement	Hon. Patricia M. Schnegg	03/31/15
		Retirement	Hon. Ronald H. Rose	03/19/15
		Retirement	Hon. Rand Steven Rubin	02/27/15

		Retirement	Hon. Thomas R. White	02/19/15
		Elevated	Hon. Lee Smalley Edmon	01/04/15
		Retirement	Hon. Leslie A. Dunn	11/07/14
		Retirement	Hon. James A. Steele	09/30/14
		Retirement	Hon. Steven D. Ogden	09/24/14
		Retirement	Hon. Cesar C. Sarmiento	09/16/14
		Retirement	Hon. Antonio Barreto, Jr.	09/05/14
Marin	1	Retirement	Hon. Lynn Duryee	02/28/14
Merced	1	Retirement	Hon. Marc A. Garcia	05/15/15
Orange	6	Retirement	Hon. William Michael Monroe	06/01/15
		Retirement	Hon. Caryl A. Lee	05/16/15
		Retirement	Hon. Linda Lancet Miller	02/28/15
		Retirement	Hon. Francisco P. Briseño	09/02/14
		Retirement	Hon. Ronald P. Kreber	05/05/14
Orange		Retirement	Hon. Luis A. Rodriguez	04/30/14
Riverside	1	Retirement	Hon. Christian F. Thierbach	05/29/15
Sacramento	2	Retirement	Hon. Greta Curtis Fall	09/14/15
		Retirement	Hon. Roland L. Candee	05/15/13
San Bernardino	3	Retirement	Hon. Joseph R. Brisco	06/07/15
		Retirement	Hon. Kenneth Barr	11/03/14
		Retirement	Hon. Jules E. Fleuret	11/01/14
San Diego	5	Dis Retirement	Hon. Marshall Y. Hockett	07/17/15
		Retirement	Hon. Carol Isackson	05/06/15
		Retirement	Hon. Thomas P. Nugent	01/11/15
		Retirement	Hon. Christine K. Goldsmith	10/10/14
		Retirement	Hon. William J. McGrath, Jr.	08/15/14
San Francisco	3	Retirement	Hon. Lillian Kwok Sing	09/15/15
		Retirement	Hon. Richard A. Kramer	08/21/15
		Retirement	Hon. James J. McBride	02/15/15

San Joaquin	2	Deceased	Hon. Franklin M. Stephenson	09/22/15
		Retirement	Hon. Bobby W. McNatt	05/31/15
San Luis Obispo	1	Retirement	Hon. Earle Jeffrey Burke	12/31/14
Santa Barbara	1	Retirement	Hon. Frank J. Ochoa	01/03/15
Santa Clara	4	Retirement	Hon. Susan Bernardini	07/31/15
		Retirement	Hon. Raymond J. Davilla, Jr.	04/18/15
		Dis Retirement	Hon. Kurt E. Kumli	06/26/14
		Retirement	Hon. James P. Kleinberg	04/15/14
Shasta	1	Retirement	Hon. Bradley L. Boeckman	09/25/15
Solano	1	Retirement	Hon. Ramona Joyce Garrett	05/27/15
Tulare	2	Newly created position	Vacancy	06/15/15
		Retirement	Hon. Paul Anthony Vortmann	08/01/14
TOTAL VACANCIES	69			

JUDGE ALLOCATION LIST		
Judgeship Type and Status	Number Authorized	List of Judgeships by Current Allocation
Authorized, but not funded or filled (AB 159)	50	http://www.courts.ca.gov/documents/jc-20141212-itemT.pdf

**Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month:
From September 2013 through September 2015 (two years)***

Month	Superior Courts				Courts of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Sep-13	1,703	1,579	124	7.3%	105	98	7	6.7%
Oct-13	1,704	1,575	129	7.6%	105	97	8	7.6%
Nov-13	1,705	1,570	135	7.9%	105	97	8	7.6%
Dec-13	1,705	1,601	104	6.1%	105	97	8	7.6%
Jan-14	1,705	1,601	104	6.1%	105	97	8	7.6%
Feb-14	1,706	1,591	115	6.7%	105	95	10	9.5%
Mar-14	1,706	1,580	126	7.4%	105	95	10	9.5%
Apr-14	1,706	1,572	134	7.9%	105	95	10	9.5%
May-14	1,706	1,568	138	8.1%	105	95	10	9.5%
Jun-14	1,706	1,579	127	7.4%	105	94	11	10.5%
Jul-14	1,713	1,586	127	7.4%	105	96	9	8.6%
Aug-14	1,713	1,582	131	7.6%	105	96	9	8.6%
Sep-14	1,713	1,577	136	7.9%	105	96	9	8.6%
Oct-14	1,713	1,572	141	8.2%	105	96	9	8.6%
Nov-14	1,713	1,578	135	7.9%	105	96	9	8.6%
Dec-14	1,713	1,590	123	7.2%	105	99	6	5.7%
Jan-15	1,713	1,607	106	6.2%	105	100	5	4.8%
Feb-15	1,713	1,603	110	6.4%	105	100	5	4.8%
Mar-15	1,713	1,612	101	5.9%	105	98	7	6.7%
Apr-15	1,713	1,610	103	6.0%	105	98	7	6.7%
May-15	1,713	1,612	101	5.9%	105	98	7	6.7%
Jun-15	1,714	1,597	117	6.8%	105	101	4	3.8%
Jul-15	1,715	1,609	106	6.2%	105	101	4	3.8%
Aug-15	1,715	1,603	112	6.5%	105	101	4	3.8%
Sep-15	1,715	1,596	119	6.9%	105	101	4	3.8%

* As of September 30, 2015

Authorized Judgeships and Vacancies in the Superior Courts

