



JUDICIAL COUNCIL OF CALIFORNIA

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

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: November 16–17, 2017

Title	Agenda Item Type
Judicial Branch Administration: Sabbatical Request for Hon. John P. Doyle	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
N/A	August 6, 2018
Recommended by	Date of Report
Executive and Planning Committee	October 30, 2017
Hon. Douglas P. Miller, Chair	Contact
Hon. Marla O. Anderson, Vice-Chair	Patrick Farrales, 415-865-8806 patrick.farrales@jud.ca.gov

Executive Summary

The Executive and Planning Committee recommends the approval of an unpaid sabbatical leave for Judge John P. Doyle of the Superior Court of Los Angeles County, for the period of August 6, 2018, to December 3, 2018. During this sabbatical leave, Judge Doyle intends to teach classes at the Pepperdine Law School London Program, in London, England. As adjunct faculty, Judge Doyle's experience in this program will enhance his ability to continue serving effectively as a trial court judge and thereby benefit the administration of justice.

Recommendation

The Executive and Planning Committee (E&P) recommends that the Judicial Council approve the request for an unpaid sabbatical leave for the period August 6, 2018, through December 3, 2018, for Judge John P. Doyle of the Superior Court of Los Angeles County.

Previous Council Action

Rule 10.502 of the California Rules of Court (see attachment A) provides for a Judicial Sabbatical Pilot Program, including eligibility criteria, application procedures, and evaluation

standards. However, only a few requests for judicial sabbatical leaves have been submitted to the Judicial Council since the rule became effective January 1, 2003. As a consequence, the Judicial Sabbatical Review Committee, introduced in that rule, was never formed and the very few judicial sabbatical requests have instead been brought to the Judicial Council's Executive and Planning Committee, for its recommendation to the Judicial Council.

Government Code section 68554 (see attachment C) authorizes the Judicial Council to grant a leave of absence for a period not to exceed one year:

“for the purpose of permitting study which will benefit the administration of justice and the individual's performance of judicial duties, upon a finding that the absence will not work to the detriment of the court. During a study leave, the judge shall receive no compensation, nor shall the period of absence count as service toward retirement, but the time of leave shall not toll the term of office.”

Based on our records, the last three judicial sabbatical requests submitted to the Judicial Council were in 2009, 2010, and 2016. These requests were reviewed and recommended by E&P, and approved by the Judicial Council.

Rationale for Recommendation

California Rules of Court, rule 10.502(b) outlines the eligibility requirements for a paid sabbatical under Government Code section 77213 and Government Code section 68554. Government Code section 77213, which authorizes the Judicial Council to grant a paid leave of absence for a period not to exceed 120 days, was repealed in 2012 and replaced with the amended Government Code section 77209 (see attachment B). The amendment created the State Trial Court Improvement and Modernization Fund (TCIMF). Under Government Code section 77209, the list of example projects (including judicial sabbaticals) that had been contained in former section 77213 was not retained.

Based on the language contained in Government Code section 77209 and a lack of available TCIMF funding, E&P recommends Judge Doyle's request for an unpaid sabbatical under Government Code section 68554.¹

Judge Doyle's participation in this program will allow him to teach a Trial Practice course at the Pepperdine Law School London Program in London, England. His application also elaborates on the benefits of his participation in the faculty program, including professional development and enhancing protocols and practices currently employed in our system. Judge Doyle indicates that, after 21 years of uninterrupted service on the bench, he will (1) gain new insights and perspectives on the administration of justice, and (2) revitalize his commitment to serving the

¹ Judicial Council's Legal Services office will separately discuss with the Executive and Planning Committee amendments to update rule 10.502 to reflect the consideration of requests by E&P rather than a Judicial Sabbatical Review Committee, and the repeal of Government Code section 77213.

Los Angeles legal and local communities in ways that will benefit the judicial branch and the public.

Judge Doyle's sabbatical proposal contains all the documentation required by rule 10.502. Judge Doyle's attached application packet (see attachment E) elaborates on the benefit to the administration of justice in California and the performance of his duties. Presiding Judge Daniel J. Buckley of the Superior Court of Los Angeles County has written a letter of support for Judge Doyle's sabbatical (see attachment D).

Comments, Alternatives Considered, and Policy Implications

The presiding judge of the Superior Court of Los Angeles County states that the court fully supports Judge Doyle's request and recommends that the sabbatical request be granted. In his application, Judge Doyle notes that judicial coverage during his absence will be coordinated with the presiding judge and the Judicial Council of California.

Alternative actions considered

Judge Doyle has submitted his application for a paid sabbatical leave or an unpaid sabbatical leave.

Implementation Requirements, Costs, and Operational Impacts

In the event that the *unpaid* sabbatical leave is approved, Judge Doyle's cases would be reassigned to a retired judge assigned under the Assigned Judges Program (AJP) by the Chief Justice pursuant to article VI, section 6 of the California Constitution. Judge Doyle will draw no salary during his sabbatical, and the Superior Court of Los Angeles County has sufficient funding for an assigned judge to handle Judge Doyle's caseload.

If the request is approved and an assigned judge is found to provide the coverage, the days would come out of the court's allocation under backfill coverage. The Assigned Judges Program would pay for the cost of the assigned judge at the daily rate of \$736.

Attachments and Links

1. Attachment A: Cal. Rules of Court, rule 10.502
2. Attachment B: Gov. Code, § 77209
3. Attachment C: Gov. Code, § 68554
4. Attachment D: Letter from Presiding Judge Daniel J. Buckley, Superior Court of Los Angeles County, to Martin Hoshino, dated October 4, 2017
5. Attachment E: Judicial sabbatical program application packet from Judge John P. Doyle to Martin Hoshino



California Rules of Court

Rule 10.502. Judicial sabbatical pilot program

(a) Objective

Sabbatical leave is a privilege available to jurists by statute. The objective of sabbatical leave is to facilitate study, teaching, research, or another activity that will benefit the administration of justice and enhance judges' performance of their duties.

(b) Eligibility

- (1) A judge or justice is eligible to apply for a paid sabbatical under Government Code section 77213 if:
 - (A) He or she has served for at least seven years as a California judicial officer, including service as a subordinate judicial officer;
 - (B) He or she has not taken a sabbatical within seven years of the date of the proposed sabbatical; and
 - (C) He or she agrees to continue to serve as a judicial officer for at least three years after the sabbatical.
- (2) Any judge is eligible to apply for an unpaid sabbatical under Government Code section 68554.

(c) Application

- (1) An eligible judge may apply for a sabbatical by submitting a sabbatical proposal to the Administrative Director with a copy to the presiding judge or justice.
- (2) The sabbatical proposal must include:
 - (A) The judge's certification that he or she meets the eligibility requirements established in (b);
 - (B) The beginning and ending dates of the proposed sabbatical;
 - (C) A description of the sabbatical project, including an explanation of how the sabbatical will benefit the administration of justice and the judge's performance of his or her duties; and
 - (D) A statement from the presiding judge or justice of the affected court, indicating approval or disapproval of the sabbatical request and the reasons for such approval or disapproval, forwarded to the Judicial Sabbatical Review Committee with a copy to the judge.

(Subd (c) amended effective January 1, 2016; previously amended effective January 1, 2007.)

(d) Judicial Sabbatical Review Committee

A Judicial Sabbatical Review Committee will be appointed to make recommendations to the Judicial Council regarding sabbatical requests.

(1) Membership

The committee must include at least one member from each of the following groups:

- (A) Administrative Presiding Justices Advisory Committee;
- (B) Trial Court Presiding Judges Advisory Committee;
- (C) Court Executives Advisory Committee;
- (D) Governing Committee of the Center for Judicial Education and Research;
- (E) Judicial Service Advisory Committee; and
- (F) California Judges Association (liaison).

(2) Staffing

The committee will be staffed by the Judicial Council's Human Resources office and may elect its chair and vice-chair.

(Subd (d) amended effective January 1, 2016; previously amended effective January 1, 2007.)

(e) Evaluation

- (1) The Administrative Director must forward all sabbatical requests that comply with (c) to the Judicial Sabbatical Review Committee.
- (2) The Judicial Sabbatical Review Committee must recommend granting or denying the sabbatical request after it considers the following factors:
 - (A) Whether the sabbatical will benefit the administration of justice in California and the judge's performance of his or her duties; and
 - (B) Whether the sabbatical leave will be detrimental to the affected court.
- (3) The Judicial Sabbatical Review Committee may recommend an unpaid sabbatical if there is insufficient funding for a paid sabbatical.

(Subd (e) amended effective January 1, 2016.)

(f) Length

- (1) A paid sabbatical taken under Government Code section 77213 may not exceed 120 calendar days. A judge may be allowed to add unpaid sabbatical time onto the end of a paid sabbatical if the purpose of the unpaid sabbatical is substantially similar to the work of the paid sabbatical.
- (2) An unpaid sabbatical taken under Government Code section 68554 may not exceed one year.

(g) Ethics and compensation

A judge on sabbatical leave is subject to the California Code of Judicial Ethics and, while on a paid sabbatical, must not accept compensation for activities performed during that sabbatical leave but may receive reimbursement for the expenses provided in canon 4H(2) of the Code of Judicial Ethics.

(h) Judge's report

On completion of a sabbatical leave, the judge must report in writing to the Judicial Council on how the leave benefited the administration of justice in California and on its effect on his or her official duties as a judicial officer.

(Subd (h) amended effective January 1, 2007.)

(i) Retirement and benefits

- (1) A judge on a paid sabbatical leave under Government Code section 77213 continues to receive all the benefits of office and accrues service credit toward retirement.
- (2) A judge on unpaid sabbatical leave under Government Code section 68554 receives no compensation, and the period of absence does not count as service toward retirement. The leave does not affect the term of office.

(j) Judicial assignment replacement

Funds must be made available from the Judicial Administration Efficiency and Modernization Fund to allocate additional assigned judges to those courts whose judges' requests for paid sabbaticals are approved.

Rule 10.502 amended effective January 1, 2016; adopted as rule 6.151 effective January 1, 2003; previously amended and renumbered as rule 10.502 effective January 1, 2007.

State of California

GOVERNMENT CODE

Section 77209

77209. (a) There is in the State Treasury the State Trial Court Improvement and Modernization Fund. The State Trial Court Improvement and Modernization Fund is the successor fund of the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund. All assets, liabilities, revenues, and expenditures of the Trial Court Improvement Fund and the Judicial Administration Efficiency and Modernization Fund shall be transferred to and become a part of the State Trial Court Improvement and Modernization Fund. Any reference in state law to the Trial Court Improvement Fund or the Judicial Administration Efficiency and Modernization Fund shall be construed to refer to the State Trial Court Improvement and Modernization Fund.

(b) Any funds in the State Trial Court Improvement and Modernization Fund that are unencumbered at the end of the fiscal year shall be reappropriated to the State Trial Court Improvement and Modernization Fund for the following fiscal year.

(c) Moneys deposited in the State Trial Court Improvement and Modernization Fund shall be placed in an interest-bearing account. Any interest earned shall accrue to the fund and shall be disbursed pursuant to subdivision (d).

(d) Moneys deposited in the State Trial Court Improvement and Modernization Fund may be disbursed for purposes of this section.

(e) Moneys deposited in the State Trial Court Improvement and Modernization Fund pursuant to Section 68090.8 shall be allocated by the Judicial Council for automated administrative system improvements pursuant to that section and in furtherance of former Rule 991 of the California Rules of Court, as it read on July 1, 1996. As used in this subdivision, "automated administrative system" does not include electronic reporting systems for use in a courtroom.

(f) Moneys deposited in the State Trial Court Improvement and Modernization Fund shall be administered by the Judicial Council. The Judicial Council may, with appropriate guidelines, delegate to the Administrative Director of the Courts the administration of the fund. Moneys in the fund may be expended to implement trial court projects approved by the Judicial Council. Expenditures may be made to vendors or individual trial courts that have the responsibility to implement approved projects.

(g) Notwithstanding other provisions of this section, the 2-percent automation fund moneys deposited in the State Trial Court Improvement and Modernization Fund pursuant to Section 68090.8 shall be allocated by the Judicial Council to statewide initiatives related to trial court automation and their implementation. The Judicial Council shall allocate the remainder of the moneys deposited in the Trial Court Improvement Fund as specified in this section.

For the purposes of this subdivision, “2-percent automation fund” means the fund established pursuant to Section 68090.8 as it read on June 30, 1996. As used in this subdivision, “statewide initiatives related to trial court automation and their implementation” does not include electronic reporting systems for use in a courtroom.

(h) Royalties received from the publication of uniform jury instructions shall be deposited in the State Trial Court Improvement and Modernization Fund and used for the improvement of the jury system.

(i) The Judicial Council shall present an annual report to the Legislature on the use of the State Trial Court Improvement and Modernization Fund. The report shall include appropriate recommendations.

(j) Each fiscal year, the Controller shall transfer thirteen million three hundred ninety-seven thousand dollars (\$13,397,000) from the State Trial Court Improvement and Modernization Fund to the Trial Court Trust Fund for allocation to trial courts for court operations.

(Amended by Stats. 2012, Ch. 41, Sec. 60. (SB 1021) Effective June 27, 2012. Conditionally inoperative as provided in Section 77400.)

State of California

GOVERNMENT CODE

Section 68554

68554. Notwithstanding subdivisions (f) and (g) of Section 1770, the Judicial Council may grant any judge a leave of absence for a period not to exceed one year for the purpose of permitting study which will benefit the administration of justice and the individual's performance of judicial duties, upon a finding that the absence will not work to the detriment of the court. During a study leave, the judge shall receive no compensation, nor shall the period of absence count as service toward retirement, but the time of leave shall not toll the term of office.

(Added by Stats. 1992, Ch. 1199, Sec. 4. Effective September 30, 1992.)



The Superior Court

STANLEY MOSK COURTHOUSE
111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
DANIEL J. BUCKLEY
PRESIDING JUDGE

TELEPHONE
(213) 633-0400

October 4, 2017

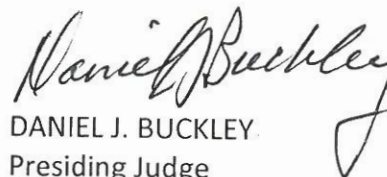
Mr. Martin Hoshino, Administrative Director
Executive Office
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

Re: Judicial Sabbatical for Judge John P. Doyle from August 6 through to December 3, 2018

Dear Mr. Hoshino:

This is to acknowledge that I have approved the Judicial Sabbatical request of Judge John P. Doyle to be absent from the court so that he can participate as an adjunct faculty to teach classes at the Pepperdine Law School London Program, in London, England from August 6 through to December 3, 2018. I believe that this unique opportunity will provide insights in the United States legal system which will be a great outreach for the administration of justice in our country to England. I agree with Judge Doyle that the outstanding reputation of the educational system of England will provide experiences and would give him insights into being a better teacher in judicial subjects for the courts in California. I believe Judge Doyle's four-month absence will not be detrimental to the Los Angeles Superior Court. The court will need an assigned judge to handle Judge Doyle's caseload during his absence, but that need should be able to be satisfied within the assigned judge budget for Los Angeles Superior Court.

Sincerely,


DANIEL J. BUCKLEY
Presiding Judge

DJB:rm

c: Hon. John P. Doyle, Judge of the Los Angeles Superior Court



The Superior Court

STANLEY MOSK COURTHOUSE
111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
JOHN P. DOYLE
JUDGE

TELEPHONE
(213) 633-0658

October 4, 2017

Mr. Martin Hoshino, Administrative Director
Executive Office
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

Re: Proposed Judicial Sabbatical for Judge John P. Doyle, August 6 through
December 3, 2018 (120 days)

Dear Mr. Hoshino:

Please find enclosed my application for a paid sabbatical leave or, in the alternative, for an unpaid sabbatical leave, pursuant to the governing rules as indicated in the application, and a copy of Presiding Judge Daniel J. Buckley's letter of approval of the application for Judicial Sabbatical, the original of which approval letter has been provided to you under separate cover by Judge Buckley. This application for Judicial Sabbatical has been provided to you by e-mail as well. Please do not hesitate to contact me if additional information is needed.

Thank you for your attention.

Sincerely yours,

A handwritten signature in black ink that reads "John P. Doyle". The signature is fluid and cursive.

John P. Doyle

cc: Judge Daniel J. Buckley
Judge Kevin C. Brazile
Judge Debre Katz Weintraub

TO: Mr. Martin Hoshino, Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Judge John P. Doyle, Application for Paid Sabbatical Leave (Govt. Code § 77213) (California Rule of Court (CRC), Rule 10.502), or, in the Alternative, Application for Unpaid Sabbatical Leave (Govt. Code § 68554) (Rule 10.502); August 6, 2018 through December 3, 2018 (120 Calendar Days)

Introductory Statement

Application for Paid Sabbatical Leave (Govt. Code § 77213) (Rule 10.502(c))

Description of the Sabbatical Project; Benefits to the Administration of Justice and Enhancement of Judge Doyle's Performance of his Official Duties as a Judicial Officer

The Trial Practice Course

London Program Extracurricular and Enrichment Activities

London Program Enduring Relationships

Renewed Commitment to Mentoring and Community Service

Summary

In the Alternative, Application for Unpaid Sabbatical Leave (Govt. Code § 68554) (Rule 10.502(b))

Additional Information

TO: Mr. Martin Hoshino, Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Judge John P. Doyle, Application for Paid Sabbatical Leave (Govt. Code § 77213) (California Rule of Court (CRC), Rule 10.502), or, in the Alternative, Application for Unpaid Sabbatical Leave (Govt. Code § 68554) (Rule 10.502); August 6, 2018 through December 3, 2018 (120 Calendar Days)

Introductory Statement

I hereby apply for a paid sabbatical leave of 120 calendar days (Govt. Code § 77213), August 6, 2018 through December 3, 2018, for the purpose of serving as an uncompensated member of the Pepperdine University School of Law (Law School) Adjunct Faculty in the Law School's London, England academic program (London Program) during the fall semester in 2018. My wife, Law School Professor Carol A. Chase, will serve during that academic term as the Director of the Pepperdine Law School London Program and visiting faculty member, so this proposed sabbatical leave will enable me to accompany her to London for the Law School's fall 2018 semester and teach as an Adjunct Faculty member in the London Program. I believe this unique teaching opportunity will provide experiences and cultivate insights that will enhance my ability to continue serving effectively as a Superior Court Judge, and will thereby benefit the administration of justice. If my application for a paid sabbatical leave is granted, I pledge to serve as a Superior Court Judge for at least three years following the conclusion of the London Program in December 2018. CRC, Rule 10.502(a).

Eligibility (Rule 10.502(b))

I satisfy the eligibility requirements for a paid sabbatical leave. My service as a Superior Court Judge commenced in April 1996, and I therefore have served as a Judge for more than seven years. Rule 10.502(b)(1)(A). I have never taken a sabbatical. Rule 10.502(b)(1)(B). I hereby agree to continue to serve as a judicial officer for at least three years after the proposed paid sabbatical leave concludes in December 2018. Rule 10.502(b)(1)(C).

Application for Paid Sabbatical Leave (Govt. Code § 77213) (Rule 10.502(c))

As stated above, I hereby certify that I meet the eligibility requirements for a paid sabbatical leave pursuant to the governing rules, including those set forth in Govt. Code § 77213. Rule 10.502(c)(2)(A).

I seek a paid sabbatical leave of 120 calendar days pursuant to Govt. Code § 77213, for the period August 6, 2018 through December 3, 2018.

Rule 10.502(c)(2)(B), (f)(1), and (i)(1). If this application for a paid sabbatical leave is approved, I will use vacation days to enable me to remain in London through on or about December 15, 2018 when the London Program's 2018 fall semester will conclude.

I have obtained a statement from Judge Daniel J. Buckley, Presiding Judge of the Los Angeles County Superior Court, indicating his approval of my sabbatical request, including the reasons for the approval, a copy of which is made a part of this application. Rule 10.502(c)(2)(D).

No Compensation

I certify that I will not accept compensation for activities performed during the proposed paid sabbatical leave. Rule 10.502(g). I understand that I may receive reimbursement from the Law School for appropriate expenses, including travel expenses, incurred in connection with my voluntary service as an Adjunct Faculty member during the Law School's 2018 London Program, consistent with the requirements of Canon 4H(2) of the Code of Judicial Ethics. Rule 10.502(g).

Judge's Report

I pledge to submit a report in writing upon completion of the paid sabbatical leave to the Judicial Council, setting forth how the sabbatical leave has benefited, and will continue to benefit, the administration of justice in California, and describing the sabbatical's effect on my official duties as a judicial officer. Rule 10.502(h).

Description of the Sabbatical Project; Benefits to the Administration of Justice and Enhancement of Judge Doyle's Performance of his Official Duties as a Judicial Officer

On August 28, 2017, Pepperdine Law School announced that my wife, Professor Carol A. Chase, who has served at the Pepperdine Law School as a Professor of Law in various capacities since 1990, had been selected to be the Director of the Law School's London Program for the 2018 fall semester. The Law School also announced my appointment, as a member of the Law School's Adjunct Faculty, to teach a Trial Practice course in the London Program that semester.

The Trial Practice Course

During my service as a Superior Court Judge for more than twenty-one years, I have presided over several hundred jury trials and bench trials, jury trials in criminal cases and both jury trials and bench trials in civil cases. My trial experience will enable me to provide a robust learning experience to law students. My overriding goal in teaching this Trial Practice course will not only be to teach the basic skills, but also to bring the trial process alive for the students with an eye toward demonstrating to them what a remarkable fact-finding process a jury trial can be when conducted properly by the Court and counsel.

The Trial Practice course will address the methods and procedures of counsel in various aspects of a jury trial, from opening statements to closing arguments. Students will actively participate in direct-examination and cross-examination of witnesses, in making and responding to objections, in methods of impeachment, in the use of depositions and in the introduction of exhibits and other evidence, and in the importance of ethics, decorum, and personal mannerisms in the courtroom. Each student will participate in a complete mock trial as the concluding component of the course, an opportunity to learn through actual experience. These mock trials will include the delivery of opening statements and closing arguments, as well as the taking of the testimony of witnesses pursuant to direct-examination and cross-examination, and the offering into evidence of documents and other exhibits. The Trial Practice course will include lectures, in-class simulations, and discussions that will take place both following lectures and during the in-class simulations in which students will actually examine witnesses, make and oppose objections, introduce exhibits and other evidence, and make arguments.

I will make myself available to students both during regular office hours and by appointment, to answer questions, to provide encouragement, and to perhaps share a few war stories from time to time, recounting events drawn from trials in which I have acted as counsel or over which I have presided. I have learned from previous teaching experiences at the Law School that these voluntary one-on-one meetings with students provide an opportunity to not only work on the particular concerns of any given student, but also to try to inspire those who are interested to consider seeking early career employment in the criminal justice system where jury trials abound. For these who flourish, a lifelong career in the criminal justice system is a wonderful option.

Another goal I have in mind is to impart to the students what a professional joy the life of a trial lawyer can be, whether it be in the public sector as a prosecutor or a public defender, as a private defense attorney in the realm of criminal law, or in the private sector as a plaintiff's attorney working in consumer litigation or in some other area, or as a defense attorney working in the service of indigent defendants or otherwise. These are wonderful careers for those who find this work to be their calling, and I intend to make the Trial Practice course a lively laboratory in which our students will have a chance to explore these various options. As part and parcel of this career-oriented approach that I expect to take to teaching the Trial Practice course, one of my objectives will be to create an atmosphere in which the students can have some fun along the way, while at the same time learning the fundamental trial skills.

The Trial Practice course will use assigned textbooks: The Art and Science of Trial Advocacy, the Law School's frequently used trial practice textbook, and Case Files for Basic Trial Advocacy. Readings will be assigned and made the subject of discussion in class. The Case Files for Basic Trial Advocacy textbook provides the cases and the framework that form the basis of the mock trials in which each student will participate during and at the conclusion of the course, mock trials that are constructively critiqued at some length by the instructor. I have found that these constructive criticisms and comments about the students' performances in their mock trials are a key part of the Trial Practice course. (In the interest of full disclosure,

Professor Chase is a co-author, along with several of her colleagues at the Law School, of each of these textbooks. Since the publication of the textbooks, they have been the most frequently used, although not required, textbooks in Trial Practice courses offered at the Law School, and have been adopted by instructors at numerous other law schools as well.)

London Program Extracurricular and Enrichment Activities

The London Program includes notably a visit to London's celebrated central criminal court, the Old Bailey, and a visit to the Royal Courts of Justice, the iconic civil courthouse which is located in close proximity to the Middle Temple and Inner Temple Inns of Court in the heart of Legal London. Particularly in the Old Bailey but also in the Royal Courts of Justice, there are opportunities to observe trials in progress. While trials in the English system are conducted differently in some ways than their counterpart trials in the United States, my experience has been that the two systems bear a strong resemblance to one another, and that our trial methods and procedures are the product in substantial measure of the English system upon which our system is modelled. Comparisons between the two trial systems will also provide fertile ground for discussion with Trial Practice students.

Some of the differences between the two systems are brought to light firsthand for our students when they participate during the London Program in international moot court competitions that are conducted in-house with Pepperdine law students and also externally with English law students who are Barristers-in-training. In connection with these competitions, I expect to not only coach the Law School's moot teams, but also to serve as a judge in the competitions. These international mooting competitions will provide an opportunity for me to inject a small element of comparative practices and procedures, when it comes to oral and written advocacy, into the basic curriculum of the Trial Practice course.

In support of these various extracurricular and enrichment activities, introductory lectures – given by members of the Law School's London Program Adjunct Faculty – are provided at the beginning of each London term, lectures on The British Political System and The English Legal System. A bus tour of London – that includes many legal landmarks and other iconic points of interest – is provided as well. These offerings are intended to orient students and give them an idea of the vast array of opportunities that lie ahead during the London term.

I expect to assist during the fall 2018 academic term of the London Program with some student mentoring activities going beyond the Trial Practice course that I will teach. For example, some students in the London Program, including Trial Practice students, participate in mooting competitions during the term at the Royal Courts of Justice, at the Inns of Court – Middle Temple, Inner Temple, Gray's Inn, and Lincoln's Inn – at City University, at King's College, and/or at the College of Law and St. John's College, Oxford. I will help coach the Pepperdine Law School mooting teams in preparation for these international moots in which Law School teams compete against Inn of Court teams comprised of English law students who are Barristers-in-training. In

addition, I expect to participate as a Judge in these international mooting competitions. Past Judges have included very prominent English jurists such as Lord Slynn of Hadley, former Advocate-General of the European Court of Justice and Law Lord, and Dame Brenda Hale of the United Kingdom Supreme Court. In support of these mooting competitions, students will attend a lecture, given by an English Barrister, on How to Moot English-Style.

By way of another example of my participation in the London Program in addition to teaching the Trial Practice course, each London Program fall term includes Study Tours to European Union institutions by all Pepperdine law students, including the European Court of Justice in Luxembourg, the European Court of Human Rights and European Parliament in Strasbourg, and the International Criminal Courts, the International Court of Justice and the International Criminal Tribunal for the former Yugoslavia in the Hague. Professor Chase will serve as the Law School Director and faculty member in charge of these Study Tours, and I will accompany and assist her. I look forward to this fantastic opportunity to see these remarkable international institutions at work, an opportunity for me to broaden my perspective on international law, both civil law and criminal law. I will share with colleagues upon my return the highlights of these visits. I am confident that these Study Tours will help me grow in ways that will serve me well when I return to Los Angeles after the sabbatical to resume my judging and other duties. A hopefully wiser judge with broader horizons will better serve the administration of justice upon returning home. I hope that visiting these international institutions, and coming to better understand the work they do, will enable me to judge better and serve our community more effectively.

In particular with respect to advocacy in the criminal arena, the London Program in past years has arranged visits for students to the Old Bailey, London's renowned central criminal court, to observe trials in progress, and to possibly meet with local Barristers about their criminal trial practices in the Old Bailey and elsewhere. I have a friend, Bernard Richmond, who as Queen's Counsel serves frequently in the defense of very high level criminal defendants, some of whom are indigent requiring his appointment by the government. On past occasions, Bernard Richmond has helped make arrangements for admission to the Old Bailey for Pepperdine law students to observe a part of one of his criminal trials. On some of these occasions, students were able to talk to Bernard about his trial work in the Old Bailey, and about his work in other criminal courts around the country as well. On one past visit to the Old Bailey, at a time when I was present during a Law School summer program, Bernard invited us into the Barristers' robing room, and to the small lunchroom in the robing room area where we enjoyed tea and pastries while Bernard regaled us with Old Bailey war stories. On that occasion, we basically shadowed Bernard to closing arguments (summing up) in which he spoke on behalf of the accused in a murder case. My hope is that such a visit to the Old Bailey will be possible for my Trial Practice students and possibly for other Pepperdine law students who are enrolled in the London Program during the 2018 term.

The London Program from time to time provides various additional enrichment opportunities for students, such as attendance at and participation in Inn of Court events. In some past years, arrangements were made to attend the annual SEAL

(Society of English and American Lawyers) Dinner, at which Pepperdine law students and faculty members were seated in the Hall of Middle Temple with prominent English Judges, Barristers, Solicitors and others.

During another London Program term in 2011, London Program Malibu campus visiting faculty members were invited to attend in the Hall of Inner Temple a dinner in celebration of the then upcoming 800th Anniversary in 2015 of the signing in 1215 of the Magna Carta at Runnymede on Thames. Professor Chase and I now have in mind, as a side-trip during the 2018 term, inviting law students to join us on a weekend day trip to the Runnymede meadow on the Thames River in Surrey, about 20 miles west of London, for a visit to the historic site at Runnymede where the Magna Carta was signed, one of several possible side-trips during the term to places where England's legal history was forged in part, including Oxford and Cambridge.

Additional tours within London are provided during the London Program, for example, a walking tour of the Houses of Parliament, a visit to the Westminster Magistrate's Court, and a walking tour of Legal London. Legal London is that part of the city where the Inns of Court, the Royal Courts of Justice, and Chancery Lane – the famous artery that bisects Legal London and near which sit historic shops selling wigs, robes, and law books – are located, not to mention the Seven Stars pub, an ancient establishment across a street from the Royal Courts of Justice that is a favored gathering spot for Legal Londoners, and is often marked in the evening by Barristers and Solicitors spilling into the street with pints in hand.

Putting aside the Seven Stars pub which is mentioned to “paint a picture” only, the above-enumerated activities are the kinds of extracurricular and enrichment opportunities that are available and are sometimes undertaken when the occasion arises during the course of any given London Program term. London provides innumerable opportunities and occasions outside the classroom for learning about some of the underpinnings of our American jurisprudence.

London Program Enduring Relationships

The London Program over the years has developed and nurtured some lasting relationships between and among Law School visiting faculty members, local London Adjunct Faculty members, Pepperdine Law School students, English law students and others affiliated with the Inns of Court, and many others, including Barristers and Solicitors, who have become London-based “friends of Pepperdine” during the course of the London Program's activities in London since its inception nearly forty years ago. In recent years, one of the Inns of Court, on a bi-annual basis, has sent an international moot team to Malibu to compete against a Law School moot team. Each of these bi-annual competitions has generated friendships between and among new groups of English and American law students, and between and among Law School faculty members and the Barristers and Judges who have accompanied the English students to the competitions in Malibu, all of whom following the conclusion of any given moot competition assemble for a celebratory dinner. My experience has been that this fellowship aspect of international moot is as important as any other aspect of the

program. I will do my part to nurture these cross-cultural exchanges, and will encourage future participants to visit my courtroom in Los Angeles should an opportunity present itself. I fully anticipate that these mooted experiences will help me become a better craftsman as a judge, and that some of these experiences can be shared with Superior Court colleagues, all to the benefit of the administration of justice in Los Angeles County and beyond.

The London Program seeks to promote fellowship and comradery between and among law students and faculty members, by way of occasional group dinners or other group events. Professor Chase and I will participate in these gatherings. Based on fairly extensive experience over the years mentoring law school students and high school students, my observation has been that the best mentoring opportunities and so-called "teaching moments" present themselves during informal activities of this nature, at which a few life lessons can be imparted to students in a comfortable and relaxed group setting. These are settings in which enduring friendships are fostered. In sum, I look forward to sharing with Pepperdine law students some of my thoughts and experiences about life and law, and particularly regarding what, by the time of the fall semester 2018, will be my 40th year since admission to the California Bar in 1978 and 22nd year since appointment to the bench in 1996. These are mentoring relationships with students that I hope will endure as the students move on and enter professional life.

Renewed Commitment to Mentoring and Community Service

Regarding the Trial Practice course, I believe that my training and experience will enable me to deliver a strong learning experience to our students. I have enjoyed serving on the Pepperdine Law School Adjunct Faculty since 1993 during which at various times I have taught Trial Practice, Mediation Theory and Practice, and the Domestic Violence Seminar, a seminar that I co-taught many times over an eighteen year period with Judge Debra Katz-Weintraub. In 2009, I was honored to receive Pepperdine Law School's David McKibben Award for Excellence in Adjunct Faculty Teaching.

I hope that this mix of prior teaching experiences, as well as my experience as a lawyer and Judge, will enable me to provide a high level Trial Practice experience to our students, as well as high quality coaching to the London Program's international mooted competitors. I further hope that these anticipated 2018 London Program experiences will enhance my ability to serve effectively as a Superior Court Judge, not only in the judging capacity but also with respect to Superior Court duties otherwise, for example, in working with externs, in participating in community outreach programs involving students and others, and in welcoming to my courtroom judges and court officials from all over the world who frequently visit the downtown Mosk Courthouse in Los Angeles, welcoming receptions that I now frequently host in my Department 58.

I now participate in three distinct student externship programs in Department 58 of the Mosk Courthouse: an externship program involving current law students from numerous law schools that is sponsored annually by the ABOTA Foundation (American

Board of Trial Advocates); an externship program – involving prospective law school students who during the program are enrolled at Cal State Los Angeles – that is administered by retired Superior Court Judge Phil Saeta; and the Los Angeles Superior Court’s regular externship program which involves currently enrolled law students from various law schools. The externs assigned to Department 58 frequently observe the morning calendar, and I meet with them, time permitting, after some of these morning calendars to discuss what they have observed and to field their questions about the morning calendar and about other aspects of the work that goes on in my courtroom and in our courthouse. I enjoy this teaching dynamic, and I hope that my proposed teaching experience in the 2018 London Program will elevate my teaching and mentoring skills to a higher level and thereby enable me to better serve the externs who are frequently present on a day-to-day basis in my courtroom in Los Angeles.

I expect that an opportunity to teach in the 2018 London Program will inspire me to increase my community outreach participation at home in Los Angeles. I plan to continue my service as a Teen Court Judge at Taft High School in Woodland Hills, participation that will be enhanced by my experience teaching the Trial Practice course in London.

The renewal and fresh outlook that can be expected to result from a sabbatical will enhance my existing commitment to community service and community outreach, and renewed commitment that I believe will be evident in the approach to judging and community service that I take upon the conclusion of the sabbatical. With the change of routine and the change of environment that a sabbatical provides, after twenty-one years of uninterrupted service on the bench, I expect to return to my regular duties with an even deeper appreciation of these important duties and a revitalized commitment to serving our legal community and our local community otherwise with increased high energy and enthusiasm.

Summary

I view this proposed teaching opportunity in London as a unique chance to provide a voluntary service training students to enter our profession at a time when the challenges facing the profession are at least as substantial as they have ever been, to enhance my teaching and legal skills generally in ways that will enable me to better serve those who appear before me and those whom I am called upon to mentor such as the externs who are regularly present in my courtroom, to experience Legal London at close-range over an extended period of time so as to gain new perspectives and insights on the administration of justice, to become immersed in another culture including another legal culture that will hopefully give me greater wisdom and skill in the art and science of dispute resolution, to inspire me to better serve our Los Angeles legal community and other local communities upon my return, and of course to share my experiences in London with colleagues on the Superior Court. I am confident that, upon my return from this sabbatical leave, I will perform my official duties as a bench officer at an enhanced level, and that I will be committed more than ever before to serve as a Superior Court Judge in ways that will benefit the administration of justice.

In the Alternative, Application for Unpaid Sabbatical Leave
(Govt. Code § 68554) (Rule 10.502(b))


While I hope that my application for paid sabbatical leave will be approved (Govt. Code § 77213), and while I am fully prepared if a paid sabbatical leave is approved "to continue to serve as a judicial officer for at least three years after the sabbatical" (Rule 10.502(b)(1)(C)), I hereby respectfully request – in the alternative – that an unpaid sabbatical leave be approved for the same period of time, August 6, 2018 through December 3, 2018 pursuant to the governing rules. Rule 10.502(b)(2), Govt. Code § 68554. I understand that "a judge on unpaid sabbatical leave under Government Code section 68554 receives no compensation, and the period of absence does not count as service toward retirement, [and that] the leave does not affect the term of office." Rule 10.502(i)(2).

Additional Information

If and as needed upon request, I will promptly provide whatever additional information might be needed to assist the Judicial Sabbatical Review Committee in evaluating this application for a paid sabbatical leave pursuant to Govt. Code § 77213, or, in the alternative, for an unpaid sabbatical leave pursuant to Govt. Code § 68554, for the period August 6, 2018 through December 3, 2018, 120 calendar days.

Rule 10.502(b)(1), (f)(1), and (i)(1). I will be thrilled in the event of the approval of either type of sabbatical leave. Thank you for your consideration.

Respectfully submitted,


JOHN P. DOYLE
SUPERIOR COURT JUDGE

10-4-17

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c: Honorable Daniel J. Buckley, Presiding Judge
Los Angeles Superior Court

JPD/kea/JUDICIAL COUNCIL/sabbatical
9-25-17