



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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Title

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

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Executive Summary

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

Relevant Previous Council Action

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

Analysis/Rationale

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

- Caseload clearance rates;
- Time to disposition;

- Stage of case at disposition; and
- Trials by type of proceeding.

These data are reported annually in the *Court Statistics Report*. The data used in this report are from fiscal year 2020-21, the most current data available at the time it was written.

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

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

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

Fiscal Impact and Policy Implications

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

Attachments and Links

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



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

REPORT TO THE LEGISLATURE UNDER
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2022



**JUDICIAL COUNCIL
OF CALIFORNIA**

OPERATIONS AND PROGRAMS DIVISION
BUSINESS MANAGEMENT SERVICES

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Introduction

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

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

Standards and Measures

This report identifies Judicial Council–adopted measures and data collected that are responsive to the reporting requirements. The following standards and measures of judicial administration, included in this report since inception, are reported in the annual Court Statistics Report¹:

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

Judicial Workload and Other Branch Programs and Resources

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

Although the conversion of subordinate judicial officers (SJOs) does not provide much-needed new resources to the courts, it does provide the courts with greater flexibility in the assignment of judicial officers. Moreover, it restores the proper balance between judges and SJOs in the court, enabling constitutionally empowered judges who are held accountable by standing for election before their communities to hear cases that are appropriate to their rank. A total of 157 SJO positions have been converted to judgeships since 2007–08. There are five positions remaining to convert (see Appendix B).

Workload Models Update

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

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

¹ www.courts.ca.gov/13421.htm.

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

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

Conclusion

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

Appendixes

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

Appendix A.2022 Judicial Needs Assessment

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

Appendix B: Subordinate Judicial Officer Conversions

Fiscal Years 2007–08 through 2020–21

Background

Rule 10.700 of the California Rules of Court provides for the use of subordinate judicial officers (SJOs) to perform subordinate judicial duties. A presiding judge may also assign an SJO to act as a temporary judge where lawful if the presiding judge determines that it is necessary for the effective administration of justice because of a shortage of judges.

During the 1980s and 1990s, the shortage of judicial positions across the state led many trial courts to create SJO positions to manage their caseloads. The stagnation in the number of new judgeships combined with the growth in the number of SJO positions created an imbalance in many courts, with SJOs spending much of their time working as temporary judges.

To restore the appropriate balance between judges and SJOs in the trial courts, in 2007 the Legislature passed Assembly Bill 159, which authorized the conversion of 162 SJO positions to judgeships in 25 courts where the judicial workload assessment determined that the number of SJOs exceeded the workload appropriate to SJOs.

	Positions Eligible for Conversion	SJO Conversions														Total Conversions to Date	Positions Remaining to Convert		
		07–08	08–09	09–10	10–11	11–12*	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20	20–21				
Courts Still Eligible for SJO Conversions																			
Placer	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
Unallocated SJO Conversion Positions**																			
	3																	3	
Courts That Have Completed Their SJO Conversions																			
Alameda	6	0	0	1	2	3	0	0	0	0	0	0	0	0	0	0	0	6	0
Contra Costa	4	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0
El Dorado	2	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Fresno	3	0	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	3	0
Imperial	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Kern	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Los Angeles	79	4	5	7	7	8	6	7	7	7	5	5	9	1	1			79	0
Marin	2	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2	0
Merced	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0
Napa	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Orange	17	1	2	2	2	3	2	2	0	0	0	0	3	0	0	0	0	17	0
Riverside	6	1	1	0	0	1	3	0	0	0	0	0	0	0	0	0	0	6	0
Sacramento	6	1	2	0	0	2	0	0	0	0	1	0	0	0	0	0	0	6	0
San Diego	7	2	0	0	0	0	1	1	0	2	0	1	0	0	0	0	0	7	0
San Francisco	2	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
San Luis Obispo	2	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0
San Mateo	2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2	0
Santa Barbara	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Santa Cruz	2	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	2	0
Solano	3	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0
Sonoma	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Stanislaus	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Tulare	2	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2	0
Yolo	2	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2	0
Total	162	16	16	16	16	20	13	11	9	11	6	6	15	1	1			157	5
Last Updated: May 2021																			

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

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

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