



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: July 2016

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Title	Agenda Item Type
Judicial Education: Report on Compliance with Education Rules for Justices and Judges	Information Only
Submitted by	Date of Report
Martin Hoshino Administrative Director	July 15, 2016
	Contact
	Diane Cowdrey, Director, Center for Judicial Education & Research (CJER), 415-865-7795 <a href="mailto:diane.cowdrey@jud.ca.gov">diane.cowdrey@jud.ca.gov</a>

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### **Executive Summary**

The Supreme Court, Courts of Appeal, and the Trial Courts have submitted to the Judicial Council cumulative records of participation in education by their benches as required under CRC 10.452(d)(6) and (e)(7) for the 2010–2012 education cycle which concluded on December 31, 2015. The Supreme Court and Courts of Appeal reported a 98% compliance rate with their education requirements and the trial courts reported a 95% compliance rate with their education requirements and expectations.

### **Previous Council Action**

The Judicial Council adopted effective January 1, 2007, education rules for Justices and Judges. CRC 10.452(d)(6) and (e)(7) specifically pertain to the responsibilities of the Chief Justice, Administrative Presiding Justices, and Trial Court Presiding Judges in collecting records of participation in education of their benches and reporting to the Judicial Council on that participation at the end of every education cycle.

#### **(d) Responsibilities of Chief Justice and administrative presiding justices**

...

(6) Must retain the records and cumulative histories of participation provided by justices. These records and cumulative histories are subject to periodic audit by the Judicial Council of California. The Chief Justice and the administrative presiding justice must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

**(e) Responsibilities of presiding judges**

...

(7) Must retain the records and cumulative histories of participation provided by judges. These records and cumulative histories are subject to periodic audit by the Judicial Council of California. The presiding judge must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

**Methodology and Process**

CRC 10.461(e) requires every Justice and CRC 10.462(f) requires every trial court judge to track their participation in education activity and to submit that participation record to their court annually. At the end of every three year education cycle, every justice and judge must submit to their court a cumulative history of their education for the entire education cycle. As stated above, the Chief Justice, administrative presiding justices, and the trial court presiding judges must in turn report that cumulative data to the Judicial Council following the conclusion of every education cycle.

**Summary of Findings**

As the attached summary report states, compliance with the education rules for the 2013 – 2015 education cycle was comparable to the 2010- 2012 education cycle, with increases in achieving the required and expected education hours. The Supreme Court and Courts of Appeal reported a slight increase from the 96% compliance rate during the 2010 – 2012 education cycle to a compliance rate of 98% for the 2013 – 2015 education cycle. For the trial courts, approximately 95% of trial court judges completed their continuing education hours expectation during the 2013–2015 education cycle, which was higher than the 93% completion rate of trial court judges from the 2010–2012 education cycle.

**Attachments**

1. Memo: Aggregate Education Reporting Forms for the Education Cycle: January 1, 2013–December 31, 2015



# JUDICIAL COUNCIL OF CALIFORNIA

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## MEMORANDUM

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Date	Action Requested
July 8, 2016	For Your Review and to Submit to Judicial Council
To	Deadline
Martin Hoshino, Administrative Director	N/A
From	Contact
Diane Cowdrey, Director, Center for Judicial Education and Research (CJER)	Diane Cowdrey 415-865-7795 phone Diane.Cowdrey@jud.ca.gov
Subject	
Aggregate Education Reporting Forms for Education Cycle: January 1, 2013–December 31, 2015	

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Attached please find the submitted aggregate education reporting forms as required under CRC 10.452(d)(6)<sup>1</sup> and (e)(7)<sup>2</sup> for the 2013–2015 education which concluded on December 31, 2015. These forms reflect compliance with the rules for continuing education hours by justices and judges. Experienced justices were required and experienced judges were expected to complete 30 hours of continuing education during the three year education cycle. New justices were required and new judges were expected to complete a pro-rata amount of continuing education hours, depending upon the year they entered the education cycle as an experienced justice or judge (i.e., 30, 20 or 10 hours). Following is a broad analysis of these submissions with respect to compliance under the education rules.

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<sup>1</sup> Rule 10.452 (d)(6) reads in part: The Chief Justice and each administrative presiding justice ...[m]ust retain the records and cumulative histories of participation provided by justices. These records and cumulative histories are subject to periodic audit by the Judicial Council of California. The Chief Justice and the administrative presiding justice must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

<sup>2</sup> Rule 10.452 (e)(7) reads in part: Each presiding judge ....[m]ust retain the records and cumulative histories of participation provided by judges. These records and cumulative histories are subject to periodic audit by the Judicial Council of the California. The presiding judge must report the data from the records and cumulative histories on an aggregate basis to the Judicial Council, on a form provided by the Judicial Council, within six months after the end of each three-year period.

## Supreme and Appellate Courts

Below is a breakdown of the Supreme and Appellate Courts reporting compliance with the continuing education hour requirement for the 2013–2015 education cycle. These data represent the justice within each court who have the continuing education requirement during the 2013–2015 reporting period. In summary, there was a 98% completion rate for the continuing education hour requirement during the 2013–2015 education cycle. This is up slightly from the 96% completion rate for the previous 2010–2012 education cycle.

1. All 7 Supreme Court justices completed their required continuing education hours and all 7 of them exceeded their required hours.
2. In the First District Court of Appeal, all 20 justices completed their required continuing education hours, and 14 completed *more* than their required hours.
3. In the Second District Court of Appeal, 21 of the 22 justices completed their required continuing education hours, 20 completed *more* than their required hours, and 1 received an extension in order to complete their required hours.
4. In the Third District Court of Appeal, all 11 justices completed their required continuing education hours and 10 completed *more* than their required hours.
5. In the Fourth District Court of Appeal, all 24 justices completed their required continuing education hours and 24 completed *more* than their required hours.
6. In the Fifth District Court of Appeal, all 10 justices who had continuing education requirements completed them and all 10 completed more than their required hours.
7. In the Sixth District Court of Appeal, 6 of the 7 justices completed their required continuing education requirements and 6 justices exceeded their requirements. One justice received an extension to complete the required hours.

## Trial Courts

Below is a breakdown of the trial courts reporting compliance with the continuing education hour expectation for the 2013–2015 education cycle. In summary, approximately 95% of trial court judges completed their continuing education hour expectation during the 2013–2015 education cycle. This is an increase when compared to the 93% completion rate of trial court judges from the 2010–2012 education cycle.

1. 57 of the 58 superior courts submitted the aggregate reporting form. El Dorado Superior Court has not yet submitted an aggregate form.
2. 35 of the 57 courts submitting an aggregate form reported that *all* of the judges who had continuing education hours expectations during the 2013–2015 education cycle fulfilled their hours, as follows:  
Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, Glenn, Humboldt, Imperial, Inyo, Kern, Lake, Lassen, Los Angeles, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Nevada, Placer, Plumas, San Benito, San Bernardino, San Francisco, Santa Barbara, Siskiyou, Sonoma, Stanislaus, Sutter, Tehema, Trinity, Tulare, and Yuba.

3. The remaining 22 trial courts reported less than 100% compliance of their judges completing their continuing education hours expectations, as follows:

San Diego	99%	127 out of 128 Judges
Riverside	97%	73 out of 76 Judges
Fresno	93%	43 out of 46 Judges
San Luis Obispo	92%	11 out of 12 Judges
Contra Costa	92%	34 out of 37 Judges
Sacramento	90%	54 out of 60 Judges
San Mateo	90%	27 out of 30 Judges
Shasta	90%	9 out of 10 Judges
Yolo	90%	9 out of 10 Judges
Alameda	90%	64 out of 71 Judges
Orange	89%	105 out of 118 Judges
Napa	88%	7 out of 8 Judges
Kings	86%	6 out of 7 Judges
Santa Clara	86%	62 out of 72 Judge
San Joaquin	86%	24 out of 28 Judges
Santa Cruz	82%	9 out of 11 Judges
Madera	78%	7 out of 9 Judges
Solano	72%	13 out of 18 Judges
Marin	60%	6 out of 10 Judges
Ventura	54%	15 out of 28 Judges
Sierra	50%	1 out of 2 Judges
Tuolumne	50%	2 out of 4 Judges

4. All but one of the 57 reporting courts reported that most, and in many cases, all of their judges who had completed their continuing education hours actually completed *more* education than was expected of them during this education cycle.
5. There were no judges who failed to take any continuing education hours, although statewide, 86 judges did not *fully* complete their continuing education expectations hours.
6. Statewide, 14 judges were granted an extension in which to fulfill their continuing education expectations.
7. With respect to compliance with education in specific areas, the following trends were observed:
  - a. 91% of all trial court presiding judges who were expected to complete the Presiding Judges Orientation and Court Management program did so within the prescribed timeframe of one year (the presiding judges of Colusa, Glenn, Mendocino, Modoc, and Stanislaus completed this education after one year). This

completion rate is down from the 94% completion rate of the 2010–2012 education cycle.

- b. With respect to new supervising judges, there are two education components, orientation to administration and orientation to calendar management.
  - i. Trial courts reported that 78% of new supervising judges completed the orientation to administration education expectation within the established timeframe of 1 year and 4% more completed this education within the education cycle but beyond the one year timeframe, for a total completion rate of 82%. This is down slightly from the 86% total completion rate for the 2010–2012 education cycle.
  - ii. Trial courts reported that 89% of new supervising judges completed the orientation to calendar management education expectation within the established timeframe, and 4% more completed the education after one year, with a total completion rate of 93%. This is up from the 53% completion rate for the 2010–2012 education cycle.
- c. Experienced judges who change assignments after two years are expected to complete a refresher or orientation course. Trial courts reported that 94% of judges in this category completed an overview or refresher course within the education cycle, although only 71% completed it within six months after starting their assignment. This is down slightly from the 96% of judges switching assignments who completed this education in the 2010–2012 education cycle.

In summary, the vast majority of the trial and appellate bench complied with the education rules. Please let me know if you would like any additional information or clarification regarding these results.

DEC/

cc: Ms. Millicent Tidwell, Chief Operating Officer