



JUDICIAL COUNCIL OF CALIFORNIA

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

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27–28, 2016

Title

Administrative Director's Report

Agenda Item Type

Information Only

Submitted by

Martin Hoshino

Administrative Director

Date of Report

October 24, 2016

Contact

Tina Carroll, 415-865-4242

tina.carroll@jud.ca.gov

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.

TABLE OF CONTENTS

Legislative Analyst’s Office Small Court Visits	3
Judicial Resources and Technical Assistance Program	3
Criminal Justice Services Court Observations.....	3
Court Resources Assessment Study.....	3
AB 1058 Child Support Commissioner and Family Law Facilitator Program Audits	3
Labor and Employee Relations	3
Court Document Assembly Program	3
Video Remote Interpreting	4
Appellate Electronic Filing	4
Annual Disaster Recovery Exercise.....	4
Case Management System	4
Court Appointed Counsel System.....	4
Court Appointed Counsel Appellate Project.....	4
Judicial Council-Sponsored Legislation	5
Bench-Bar Coalition	5
Justice System Stakeholder Meetings	5
Juvenile Delinquency Data and Research	5
Dependency Court Improvement Program	6
Access to Visitation	6
Innovations Grant Program.....	6
Branch Accounting	6
Capital Projects	6
Real Estate and Facilities Management	7
Keeping Kids in School and Out of Court	7
Commission on the Future of California’s Court System.....	7
National Focus on Fines, Fees, and Bail Reform.....	7
Creating a User-Friendly Court Structure and Environment	8
National Court Statistics Project.....	8
Advisory Committees, Task Forces, and Working Groups	8
Judicial Branch Education and Training Programs	10
Staffing Metrics	15
Judicial Appointments and Vacancies	17

Legislative Analyst’s Office Small Court Visits: Governmental Affairs facilitated visits to several small courts by representatives from the Legislative Analyst’s Office to learn more about funding issues, including impacts of the Workload and Allocation Funding Methodology, and other issues related to the management and operations of small courts. Superior courts visited included those in Lake, Colusa, Calaveras, Mariposa, and Merced Counties, followed by conference calls with the Superior Courts of Siskiyou, Marin, and Plumas Counties.

Judicial Resources and Technical Assistance: Staff conducted court visits to:

- Juvenile courts in Inyo, El Dorado, San Luis Obispo, Calaveras, and Madera Counties to conduct courtesy file reviews and advise and consult with juvenile court bench officers, court staff, and agency stakeholders on practices and procedures required by federal and California law to protect children from abuse and neglect and prevent the loss of federal foster care funding; and
- The Superior Court of San Joaquin County to observe court sessions and meet with judges regarding the Dependency Representation, Administration, Funding and Training (DRAFT) Program; and

Criminal Justice Services Court Observations: Staff visited several courts to observe courts in session and discuss aspects of court operations, including data collection and promising practices for the:

- Superior Court of Santa Clara County Collaborative Court;
- Superior Court of Merced County Mental Health Court;
- Superior Court of San Joaquin County DUI Court, and the Criminal Justice Disposition Reporting system; and the
- Superior Court of Imperial County Pretrial Services program.

Court Resources Assessment Study: A series of site visits were conducted to all 15 courts that participated in the update of the Resource Assessment Study to review and validate data collected during the March 2016 staff time study.

AB 1058 Child Support Commissioner and Family Law Facilitator Program, Fiscal Year 2014–2015 Audits: Staff was on site to provide assistance to the Superior Courts of Kern and Amador Counties as the California State Department of Child Support Services (DCSS) conducted audits of the courts’ federally-funded AB 1058 grant programs.

Labor and Employee Relations: Labor negotiations assistance was provided to 16 trial courts covering 19 different bargaining units. Services included successor Memoranda of Understanding negotiations, proposed policy revisions, and modifications to employer-employee relations rules. Additionally, support was provided on 32 different labor and employment related matters.

Court Document Assembly Program:

- A new statewide document assembly program for *Name Change* that Self-Help Center staff or litigants can access directly from the California Courts On-Line Self-Help Center was

developed and vetted with the LawHelpInteractive/HotDocs User Group (24 courts, advocates, and legal aid agencies), and the Equal Access group (Family Law Facilitators).

- In response to requests from the courts in the HotDocs User Group, Judicial Council staff rolled out significant modifications to programs that include two critical family law forms, *Income and Expense Declaration* and *Declaration under the Uniform Child Custody Jurisdiction Enforcement Act*. The modifications added interview questions to handle more complex scenarios related to children's address history, and redesigned the interview to streamline questions, resulting in a reduction of 16 screens and additional features that reuse previously entered data, thus saving the user data entry time.

Video Remote Interpreting: Three vendors were selected for the Video Remote Interpreting (VRI) pilot/equipment assessment program. The pilot is anticipated to begin in first quarter of 2017 and run for six months. Of the 14 courts that applied to participate in the pilot, and based on pre-determined criterion, the following were selected as pilot courts: the Superior Courts of Merced, Ventura, and Sacramento Counties.

Annual Disaster Recovery Exercise: The California Courts Technology Center (CCTC) completed its 2016 disaster recovery exercise, successfully demonstrating that infrastructure, network services, and applications hosted in the Tempe, Arizona technology center can be safely and securely backed-up, redirected, and restored at a secondary location in Omaha, Nebraska. The Superior Courts of San Benito, Sacramento, and Ventura Counties provided direct support for the testing.

Case Management System: System updates were deployed for V3 case management system courts hosted at the CCTC, including 22 court requested and maintenance items, and user interface improvements within the minute order capture screen. This system is used to manage approximately 25 percent of civil cases statewide.

Appellate Electronic Filing: The Fourth Appellate District, Division Three, Santa Ana, successfully launched mandatory electronic filing with assistance from council Information Technology staff.

Court Appointed Counsel System: The Business Intelligence platform for the Courts of Appeal Court Appointed Counsel program was deployed. The program is used to review project invoices and approve compensation claims from counsel appointed by the Courts of Appeal to represent indigent parties with cases on appeal. More than 12,000 court-appointed counsel payments totaling over \$44 million are processed annually.

Court Appointed Counsel Appellate Projects: Directors of the six appellate projects met to discuss the status of the recently submitted Budget Change Proposal for operational budgets as well as general operational concerns, and the status of updates to document management systems.

Judicial Council-Sponsored Legislation: Two Judicial Council-sponsored bills were signed into law by the Governor: AB 1900 (Jones-Sawyer) authorizes the sale of the San Pedro Courthouse in Los Angeles and directs that the proceeds be deposited in the Immediate and Critical Needs Account of the State Court Facilities Construction Fund established by Senate Bill 1407; AB 2232 (Obernolte) corrects drafting errors in rules governing retention of court files regarding certain misdemeanor traffic offenses. The current status report on 2016 legislation considered by the Judicial Council Policy Coordination and Liaison Committee during the 2015–2016 legislative session can be found on the California Courts website at: <http://www.courts.ca.gov/documents/legislative-status-chart-2016.pdf>.

Bench-Bar Coalition: More than 85 judges and lawyers attended the annual coalition meeting. Judge Holly Fujie was installed as the new cochair, and attorney member James Heiting and Judge Joan Weber were installed as new Executive Committee members for the Southern Region. An educational panel was conducted on fines, fees, penalties, and assessments, and updates were provided by the California Judges Association, the California State Bar, and the American Bar Association.

Justice System Stakeholder Meetings:

- *Mental Health Services Oversight and Accountability Commission, Subcommittee on Public Engagement:* Staff attended the subcommittee meeting to develop an action agenda to help reduce the number of individuals with mental health needs who become involved with the criminal justice system, and to improve outcomes for those in custody, and those released into the community.
- *Child Welfare Council:* Staff participated in the council meeting where presentations were made on implementing the Katie A. Settlement and Continuum of Care Reform, and a new report by the Child Welfare Co-Investment Partnership examining the role of the court in child welfare services.
- *Child Support Services Programs:* Judicial Council staff participated in several stakeholder meetings on the title IV-D child support program including: the monthly inter-agency forum for the Department of Child Support Services and judicial branch stakeholders regarding policies, procedures, and practices that impact the child support program; the monthly Legal Practices Committee meeting sponsored by the Child Support Directors Association to discuss legal issues and statewide coordination, and a state court and tribal court cross-cultural educational exchange.
- *Indian Child Welfare Act Stakeholders' Roundtable Meeting:* Staff participated in a meeting of judicial officers, attorneys, tribal representatives, Native American agency representatives, state representatives, and county representatives to discuss problems and improve outcomes for Native American families in Los Angeles County. Topics included new regulations and a presentation on indigenous terminology.

Juvenile Delinquency Data and Research: A meeting was held with the Department of Justice to discuss coordination on juvenile delinquency data and research, including research on the impact of Proposition 47 (Safe Neighborhoods and Schools Act) on juveniles and the creation of county-level juvenile justice “dashboards” for judges across the state.

Dependency Court Improvement Program: Judicial Council staff attended a required national meeting on upcoming changes in the budget, application, strategic planning, and reporting requirements for the council-administered federal Dependency Court Improvement Program. Grant funding is used to support administration of state funded dependency programs including the Dependency Representation, Administration, Funding, and Training program and the Court Appointed Special Advocates grants program; direct grants to the courts for dependency drug court support and psychotropic medication consultation; and numerous direct education programs for judges and court-appointed counsel.

Access to Visitation: Access to Visitation grant recipient courts and community-based justice partners met to strengthen collaboration, coordination, and integration of service connections for increasing noncustodial parenting time. The meeting provided strategic guidance for addressing the new Congressional resolution for states to use existing funding sources to support parenting time arrangements, including child support incentives and access to visitation grants.

Innovations Grant Program: The Request for Applications for the Court Innovations Grant Program was issued. Two teleconferences were held with court leadership to discuss grant requirements. Almost 180 Notices of Intent to Apply were submitted by trial and appellate courts indicating interest in one or more of three grant categories: collaborative courts; self-help, family, and juvenile courts; and other case types. Formal applications are due by October 31.

Branch Accounting: Annual financial reports on behalf of all 58 trial courts and state level judicial branch entities were submitted to the State Controller's Office.

Keeping Kids in School and Out of Court: The Chief Justice's Keeping Kids in School and Out of Court Initiative steering committee convened to plan its work for the coming year. Reports were provided by the U.S. Department of Education's Office for Civil Rights on its California work; the Peer Leaders Uniting Students Program, a successful evidence-based program to engage youth and build positive school climate.

Capital Projects:

- Three new courthouse dedication ceremonies took place. The two-courtroom courthouse for the Superior Court of Merced County in Los Banos opened to the public on September 8, <http://www.courts.ca.gov/facilities-merced-losbanos.htm>. The five-courtroom Red Bluff courthouse for the Superior Court of Tehama County opened to the public on October 13, <http://www.courts.ca.gov/facilities-tehama.htm>. A dedication ceremony for the new 20-courtroom Santa Clara Family Justice Center was held on October 17, <http://www.courts.ca.gov/facilities-santaclara.htm>.
- *Refunding of Debt Service for the Courts of Appeal, Fourth Appellate District:* Debt service on the Santa Ana courthouse was refunded with total savings of \$5.9 million to be accrued to the State General Fund.

- The new courthouses for the Superior Courts of Sutter and Madera Counties were selected to be included in the American Institute of Architects Justice Facilities Review publication and will be honored at the American Institute of Architects-Academy of Architecture for Justice Convention.

Real Estate and Facilities Management

Facility modifications status as of October 19, 2016:

Status	Number of Modifications	Estimated Cost
Awaiting Shared Cost	4	\$4,136,000
Hold for Project Managers	13	\$9,379,161
In Design	2	\$292,292
In Work	549	\$117,895,168
Total	568	\$131,702,621

Eighteen real estate transactions were completed, including new revenue licenses, lease terminations, and event licenses as follows:

- New Revenue Licenses
 - Los Angeles County, McCourtney Juvenile Justice Center
 - San Diego County, NCRC-North, Lawyer Referral Service/Bar Assn of Northern San Diego County
- Lease Terminations
 - Orange County, Irvine Storage
 - Sacramento County, 800 9th Street
 - Santa Clara County, Terraine Courthouse, Notre Dame Courthouse and parking, Superior Court Administration Office, and Family Court
 - Tulare County, Visalia Convention Center
- Event Licenses: Eight short-term event licenses were executed.

Court Security: A meeting was held with representatives from the Superior Court of Stanislaus County, the Stanislaus Sheriff, Modesto Police, Modesto Fire Department, and community representatives regarding the impact on the community and local agencies of the currently abandoned property where the future Modesto courthouse will be built.

Commission on the Future of California's Court System: The commission held its fifth and final in-person public comment session in Los Angeles for 10 concepts under consideration. Final recommendations are expected to be provided to the Chief Justice in early 2017.

National Focus on Fines, Fees, and Bail Reform: As a member of the National Task Force on Fines, Fees, and Bail Practices, the Administrative Director represented the Judicial Council at the U.S. Department of Justice's national meeting on momentum in the reform of justice debt and bail practices. Also, as a member of the Conference of State Court Administrators' Policy and Liaison Committee, the Administrative Director contributed to the Conference's 2015–2016 Policy Paper: *The End of Debtors' Prisons: Effective Court Policies for Successful Compliance with Legal Financial Obligations*.

Creating a User-Friendly Court Structure and Environment: The National Association of Court Management released the 2016 Guide to Creating a User-Friendly Court Structure and Environment. As a working group participant, Judicial Council staff contributed to the “Helping the Self Represented” section.

National Court Statistics Project: Office of Court Research staff represented California at the State Court Data Specialists’ roundtable meeting convened by the National Center for State Courts. Select data specialists from around the country met to discuss issues pertinent to the collection, analysis, and reporting of court data to improve court management. The meeting is part of the national Court Statistics Project, which is a joint project of the National Center for State Courts and the Conference of State Court Administrators.

Advisory Committees/Task Forces/Working Groups

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

1. AB 1058 Funding Allocation Joint Subcommittee
2. Administrative Presiding Justices Advisory Committee
3. Appellate Indigent Defense Oversight Advisory Committee
4. Collaborative Justice Courts Advisory Committee
5. Court Executives Advisory Committee
6. Court Facilities Advisory Committee
7. Court Security Advisory Committee
8. Criminal Law Advisory Committee
9. Family and Juvenile Law Advisory Committee
10. Language Access Plan Implementation Task Force
11. Traffic Advisory Committee
12. Trial Court Facility Modification Advisory Committee
13. Trial Court Presiding Judges Advisory Committee
14. Workload Assessment Advisory Committee

Meeting Details

AB 1058 Funding Allocation Joint Subcommittee (*Family and Juvenile Law, Trial Court Budget, and Workload Assessment Advisory Committees, and the California Department of Child Support Services*)

- Received a presentation by the Director of the Department of Child Support Services on the department’s funding methodologies.

Administrative Presiding Justices Advisory Committee

- Received a presentation on the Request for Proposal for an appellate court document management system, and discussed continuity of operations plans, court clerk/administrator classification, education and training, and fiscal matters impacting the courts.

Appellate Indigent Defense Oversight Advisory Committee

- Audited and reviewed 140 randomly selected appellate cases handled by court appointed counsel; made eight adjustments to the reimbursement submissions; and noted four commendations for extraordinary work.
- Presented statistics on various aspects of court appointed counsel work from the six appellate projects, including time frames for completing cases based on complexity, brief lengths, and other parameters.

Collaborative Justice Courts Advisory Committee

- Discussed funding updates; Driving Under the Influence, veterans, and juvenile courts and court programs; legislation proposed or enacted; and future directions of mental health projects, including projects coordinated by the Department of Health Care Services.

Court Executives Advisory Committee

- Considered the Records Management Subcommittee's legislative proposal to specify the retention period for court records in gun violence cases.
- Discussed the following concepts proposed by the Technology Working Group of the Commission on the Future of California's Court System to determine if official committee-level comments should be submitted on expanding the use of technology to improve efficiency and enhance access, and establishing an ongoing "innovation lab" to enhance a culture of technological innovation.

Court Facilities Advisory Committee

- Met with courts with projects that have been placed on hold due to funding challenges associated with the Immediate and Critical Needs Account to discuss communication with local and elected officials.

Court Security Advisory Committee

- Discussed the Trial Court Security Survey distributed to courts on October 20 to gather information on security needs and priorities.

Criminal Law Advisory Committee

- Worked to initiate rules of court, forms, and legislative proposals for council consideration, including updating criminal rules of court re realignment, military information in presentence reports, intercounty transfers, deferred entry of judgment forms, hearing on pretrial release after failure to appear, multi-county sentencing.

Family and Juvenile Law Advisory Committee

- Discussed Court Appointed Special Advocates (CASA) funding recommendations to be provided to the Judicial Council for county-based programs designated by the superior courts that meet the criteria in rule 5.655 and program standards of the National CASA Association. Allocations will fund 45 programs serving 50 counties.

Language Access Plan Implementation Task Force

- Approved a proposal to recommend that the Judicial Council sponsor 2018 legislation related to the provision of court interpreters in small claims matters.
- Approved recommendations to forward to the council for increasing language access in the Courts of Appeal and Supreme Court.
- Staff presented on the work of the Translation, Signage, and Tools for Courts Subcommittee.

Traffic Advisory Committee

- Reviewed traffic-related legislation.
- Approved 2017 Uniform Bail and Penalty Schedule for circulation for public comment.
- Continuing to review rule and form proposals to improve notice and opportunity to be heard on ability to pay, installment plans, and community service that were circulated for public comment through August 26.

Trial Court Facility Modification Advisory Committee

- Reviewed and approved six facility modification projects with a total potential cost of \$2.8 million, as well as five energy efficiency projects with a total potential cost of \$211,000.

Trial Court Presiding Judges Advisory Committee

- Discussed possible implementation of Proposition 64 (Marijuana Legalization Initiative); and the draft 2017 annual agenda.
- Discussed two proposed concepts from the Technology Working Group of the Commission on the Future of California's Court System: Expanding the use of technology to improve efficiency and enhance access; and Establishing an ongoing "innovation lab" to enhance a culture of technological innovation.

Trial Court Presiding Judges and Court Executives Advisory Committees Joint Project

- Submitted to the Judicial Council a proposal that recommends amending rules of court to eliminate reporting requirements concerning the use of court-appointed temporary judges.

Workload Assessment Advisory Committee

- Received an update on the Resource Assessment Study for courts and discussed next steps.
- Reviewed and approved for submission to the council biennial reports to the Legislature on judicial needs and standards and measures of judicial administration.
- Received an update on the work of the AB 1058 (Child Support Commissioners) Funding Allocation Joint Subcommittee.

Judicial Branch Education and Training

Summary

Judicial Education

1. Ethics and Self-Represented Litigants in Domestic Violence Cases
2. Fundamentals of Substance Use Disorders and Principles of Effective Treatment with Justice-Involved Populations

3. Handling Sexual Assault Cases
4. New Judge Orientation
5. Primary Assignment Orientations: Criminal Law, Limited Jurisdiction, Small Claims and Unlawful Detainer
6. Qualifying Ethics Core Courses: Fresno, Compton, Bakersfield, San Francisco, Sacramento, Modesto, Martinez, Rancho Cucamonga

Judicial Officer, Court Employee, and Justice System Stakeholder Education

1. 20th Annual AB 1058 Child Support Training Conference
2. Americans with Disabilities Act (ADA), for court personnel
3. Advanced Core 40 for managers and supervisors
4. Child Support Directors Association 2016 Child Support Legal College
5. Core 24: Advanced Skills for Experienced Court Managers and Administrators
6. Core 40: Basic Training, for supervisors
7. Court Security
8. Family Dispute Resolution Central Valley Regional Training
9. Institute for Court Management (ICM) – Leadership
10. ICM – Managing Court Financial Resources
11. ICM – Visioning and Strategic Planning
12. Juvenile Court Activity Tracker System WebEx Training
13. Labor Relations Academy
14. Supervised Visitation

Judicial Publications

15. California Judges Benchbook: Small Claims Court and Consumer Law (Update)
16. California Judges Benchbook: Search and Seizure (Update)
17. DUI Proceedings Benchguide 81 (Update)
18. Small Claims Court Benchguide 34 (Update)

Distance Education

Web Casts

19. Supreme Court Oral Arguments

Broadcasts

20. Continuing the Dialogue on ADA Special Issues
21. Employee Leaves: Beyond the Law (for court supervisors/managers)
22. Facilitation Solution Focused Discussions (for managers/supervisors)
23. Prop 47: From Proposition to Penal Code (for court personnel)

Video Production

24. Character Evidence (Online Course)
25. Dealing with High Conflict Litigants Parts 1 and 2 (Video Lecture)
26. High Conflict Parents (Courtroom Simulation)
27. Responses to Pleadings (Video Lecture)

Details

20th Annual AB 1058 Child Support Training Conference

A plenary session presented by the AB 1058 Funding Allocation Joint Subcommittee was followed by workshops facilitated by the child support commissioner and family law facilitator subject matter expert groups. The conference was attended by 400 child support commissioners, family law facilitators, paralegals, court clerks and administrative and accounting staff. California Department of Child Support Services executive team members and representatives of local child support agencies also attended. Pre-conference events included a one-day primary assignment orientation and orientation classes for new child support commissioners and family law facilitators. The cost of the training was covered by grant funding.

Advanced Core 40 for Managers and Supervisors

This three-day regional course included overcoming obstacles, self-awareness, coaching skills, and conflict management.

Child Support Directors Association 2016 Child Support Legal College

AB 1058 Program staff attended this training providing program-related updates and sharing best practices/issues of current interest with other child support professionals. Topics included international child support cases, particularly since the adoption of Uniform Interstate Family Support Act 2008, case law and legislative updates; the impact of mental health issues and poverty on litigants; and the establishment of parentage in child support cases.

Continuing the Dialogue Broadcast on ADA Special Issues

A discussion on 10 special Americans with Disabilities Act issues included entrance security, obesity, diabetic needles, transcripts, ADA advocates, in-custody defendants, and mental health.

Core 24 Advanced Skills for Experienced Court Managers and Administrators

This three-day regional training included building collaborative relationships, political savvy, problem solving, and communication skills.

Core 40 Basic Training for Managers and Supervisors

On request, training was provided for managers and supervisors of the Superior Courts of Fresno, Kings, and Tulare Counties on the role of the supervisor, employment law, and performance management.

Court Security

Training was provided to judicial officers, courts staff, county employees, and justice partners for the Superior Courts of Amador, Monterey, and Siskiyou Counties on threat management, privacy protection, crime prevention, workplace violence, and an active shooter.

Ethics and Self-Represented Litigants in Domestic Violence Cases

This course focused on the “nuts and bolts” of restraining and protective order proceedings, followed by general judicial ethics issues that arise in domestic violence (DV) cases, such as

disqualification, disclosure, ex parte communication, and community outreach, and the application of the canons contained in the Code of Judicial Ethics in light of the increasing numbers of self-represented litigants in DV cases. The course also provided an opportunity to demonstrate and practice demeanor and communication skills.

Facilitation of Solution-Focused Discussions

This broadcast for managers and supervisors is designed to help leaders become effective at facilitating discussions with their teams. Topics include responsibilities and skills of an effective facilitator, appreciative inquiry, and question design.

Family Dispute Resolution Central Valley Regional Training: A training for family court child custody recommending counselors, mediators, and evaluators offered mandatory continuing education on DV legal changes, safety planning, and local DV resources; drug testing technologies, assessor detection, and client deception; and parental relationship distress and child well-being.

Fundamentals of Substance Use Disorders and Principles of Effective Treatment with Justice-Involved Populations

This course was taught by two nationally and internationally recognized experts in the field of substance abuse disorders and evidence-based practices in judicial and clinical interventions.

Handling Sexual Assault Cases

This two-day course guides a judge through a sexual assault trial from arraignment to sentencing and post-sentencing procedures.

Institute for Court Management (ICM) – Leadership

This two-and-a-half-day regional course based on the National Association for Court Management's core competencies focused on the knowledge and skills of leadership as a core competency. Topics included adaptive leadership and the impact of technology.

Institute for Court Management (ICM) – Managing Court Financial Resources

This course focused on the building blocks of financial reporting, auditing, and budgeting.

Institute for Court Management (ICM) – Visioning and Strategic Planning

This course focused on the tools court leaders and managers need to develop a vision and achieve goals using strategic planning.

Juvenile Court Activity Tracker System WebEx Training

As requested by the juvenile court for the Superior Court of San Joaquin County, staff provided software training on the Juvenile Court Activity Tracker System, a comprehensive child dependency/child advocacy database.

New Judge Orientation

This week-long program is designed to introduce new judges, commissioners, and referees to their judicial duties and familiarize them with their ethical responsibilities in ensuring fairness in all proceedings, promoting uniform court practices, and improving the administration of justice.

Prop 47: From Proposition to Penal Code

This broadcast for court personnel is designed to help those working in a criminal assignment understand the impact of Proposition 47.

Qualifying Judicial Ethics

This core class is intended to reinforce judicial fairness and the central mission of a judge—ensuring the honesty and integrity of judicial decisions. There were eight sessions statewide with topics that included gifts, disqualification and disclosure, courtroom decorum and attorney misconduct, decisional delay, membership activities and fundraisers, political activity, the central principles of judicial ethics, the judicial role—honesty and integrity of decision is central mission, and the skills of judicial fairness—implicit bias.

Supervised Visitation

Thirty-six hours of training was provided for 25 statewide professional providers of supervised visitation.

Staffing Metrics

As of September 30, 2016

See following page for definition of terms.

STAFFING	Leadership Services Division							Operations & Programs Division							Administrative Division					Judicial Council
	Executive Office	Govern-mental Affairs	Public Affairs	Legal Services	Audit Services	Special Projects	Judicial Council and Trial Court Leadership	Center for Families, Child. & Courts	Court Operations Services	Criminal Justice Services	Center for Judicial Education & Research	Appellate Court Services	Capital Program	Real Estate & Facilities Mgmt	Budget Services	Branch Account. & Procurement	Human Resources	Information Technology	Admin Support	
Authorized Position (FTE)	9.00	11.00	8.00	58.00	14.00	10.00	19.80	65.00	34.60	22.00	48.50	6.00	43.00	95.00	40.00	143.00	43.00	116.00	30.00	815.90
Filled Authorized Position (FTE)	8.00	10.00	7.00	41.70	9.00	9.00	17.80	56.35	29.55	17.60	44.30	4.00	30.00	72.00	37.00	127.00	35.00	95.88	26.50	677.68
Headcount - Employees	8	10	7	42	10	9	19	57	30	18	45	4	30	72	37	128	35	96	27	684.00
Vacancy (FTE)	1.00	1.00	1.00	16.30	5.00	1.00	2.00	8.65	5.05	4.40	4.20	2.00	13.00	23.00	3.00	16.00	8.00	20.13	3.50	138.23
Vacancy Rate (FTE)	11.1%	9.1%	12.5%	28.1%	35.7%	10.0%	10.1%	13.3%	14.6%	20.0%	8.7%	33.3%	30.2%	24.2%	7.5%	11.2%	18.6%	17.4%	11.7%	16.94%
Judicial Council Temp Employee (909)	1	0	1	0	0	0	0	0	1	1	0	0	0	6	0	1.6	0	0	0	11.60
*Employment Agency Temporary Worker (FTE)	0	0	0	1	0	0	0	1	0	0	1	0	0	1	1	1	3	0	0	9.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	0.0	0.0	4.6	2.0	0.0	0.0	0.0	33.25	0.0	40.35
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	9.00	10.00	8.00	42.70	9.00	9.00	17.80	57.35	31.05	18.60	45.30	4.00	34.60	81.00	38.00	129.60	38.00	129.13	26.50	738.63

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 by the Judicial Council, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". This count does not include Judicial Council 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.
Judicial Council Temporary Employees (909)	<p>The "909" category is the State Controller code used to reference a temporary position or a temporary employee.</p> <p>909 Position - it is a position that may not be funded through the Budget Act and it is categorized by the Office of the State Controller as a temporary position used in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position. 909 Employee - An employee whose salary is not funded through the Budget Act. 909 employees may receive benefits if employed at least half-time and the term of employment is for more than six months. Types of "909" Temporary Employees include: Retired Annuitants: A retired annuitant is a retiree who is hired by his or her former employer or by another employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who has previously retired and who is currently receiving retirement benefits. Temporary: Employees employed on a temporary basis - they do not receive full benefits (but do receive CalPERS retirement service credit).</p>
Employment Agency Temporary Worker (FTE)	These are workers from an employment agency. They are employees of the employment agency that provide short-term support.
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	<p>Full time: Employee is scheduled to work 40 hours per week. Receives full benefits.</p> <p>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.</p> <p>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.</p>
Regular Employee	Commonly referred to as "permanent employees" – They receive full benefits.
Limited Term	Limited Term Position – It is a position that is funded through the Budget Act with a specific end date. The position is counted as an authorized position. Employee in limited term positions may be regular or temporary.

Judicial Appointments and Vacancies Report

Judicial Appointments: There have been no new appointments since June 28, 2016.

Number of Judgeships Authorized, Filled and Vacant as of **September 30, 2016**

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	96	9	0	97	8
Superior Courts	58	1,726	1,610	66	50*	1,613	113
All Courts	65	1,838	1,713	125		1,717	121

*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.

The number of Authorized Positions has increased from last month due to Position Conversions. Vacancies occurring in the current reporting month are highlighted below in **yellow:

JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Second Appellate District, Division Three	3	Retirement	Hon. Patti S. Kitching	10/05/15
Second Appellate District, Division Five		Retirement	Hon. Richard M. Mosk	03/31/16
Second Appellate District, Division Seven		Retirement	Hon. Fred Woods	03/31/15
Fourth Appellate District, Division One	4	Deceased	Hon. Alex C. McDonald	09/08/16
Fourth Appellate District, Division One		Retirement	Hon. James A. McIntyre	06/30/16

Fourth Appellate District, Division Two		Retirement	Hon. Jeffrey King	01/31/16
Fourth Appellate District, Division Three		Retirement	Hon. William F. Rylaarsdam	06/30/16
Fifth Appellate District	1	Retirement	Hon. Dennis A. Cornell	06/30/15
Sixth Appellate District	1	Separated	Hon. Miguel A. Marquez	07/29/16
TOTAL VACANCIES	9			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	3	Retirement	Hon. Lawrence John Appel	04/18/16
Alameda		Retirement	Hon. Reginald P. Saunders	10/15/15
Alameda		Retirement	Hon. Steven A. Brick	09/02/15
Humboldt	1	Retirement	Hon. W. Bruce Watson	01/04/16
Kern	1	Retirement	Hon. Larry Errea	08/19/15
Los Angeles	26	Retirement	Hon. Elden S. Fox	09/02/16
Los Angeles		Retirement	Hon. John T. Doyle	08/09/16
Los Angeles		Deceased	Hon. Ralph W. Dau	07/14/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Converted	Vacancy	06/09/16
Los Angeles		Retirement	Hon. Michelle R. Rosenblatt	06/01/16
Los Angeles		Retirement	Hon. Peter Paul Espinoza	05/31/16
Los Angeles		Retirement	Hon. Jane L. Johnson	05/23/16

Los Angeles		Retirement	Hon. Emilie H. Elias	05/09/16
Los Angeles		Retirement	Hon. Joanne B. O'Donnell	04/30/16
Los Angeles		Retirement	Hon. Robert E. Willett	03/08/16
Los Angeles		Retirement	Hon. Russell S. Kussman	02/18/16
Los Angeles		Deceased	Hon. Daniel L. Brenner	02/15/16
Los Angeles		Resigned	Hon. Jeffrey K. Winikow	12/03/15
Los Angeles		Deceased	Hon. Ellen Carol DeShazer	11/19/15
Los Angeles		Retirement	Hon. Elia Weinbach	09/30/15
Los Angeles		Retirement	Hon. Reva G. Goetz	09/21/15
Los Angeles		Retirement	Hon. Richard A. Stone	08/28/15
Los Angeles		Retirement	Hon. Thomas I. McKnew, Jr.	08/03/15
Los Angeles		Retirement	Hon. Tia G. Fisher	07/31/15
Los Angeles		Retirement	Hon. Allan J. Goodman	07/30/15
Merced	1	Retirement	Hon. Marc A. Garcia	05/15/15
Orange	3	Retirement	Hon. James A. Stotler	04/04/16
Orange		Retirement	Hon. David T. McEachen	03/04/16
Orange		Retirement	Hon. William Michael Monroe	06/01/15
Riverside	1	Retirement	Hon. Christian F. Thierbach	05/29/15
Sacramento	3	Retirement	Hon. Robert C. Hight	04/08/16
Sacramento		Retirement	Hon. Michael G. Virga	03/26/16
Sacramento		Retirement	Hon. Greta Curtis Fall	09/14/15
San Bernardino	2	Elevated	Hon. Marsha G. Slough	02/22/16
San Bernardino		Retirement	Hon. Joseph R. Brisco	06/07/15
San Diego	6	Retirement	Hon. David M. Szumowski	07/31/16
San Diego		Retirement	Hon. Charles W. Ervin	02/22/16
San Diego		Retirement	Hon. William R. Nevitt, Jr.	10/19/15
San Diego		Converted	Vacancy	10/08/15
San Diego		Converted	Vacancy	10/08/15
San Diego		Dis Retirement	Hon. Marshall Y. Hockett	07/17/15

San Francisco	3	Retirement	Hon. James P. Collins	09/23/16
San Francisco		Retirement	Hon. Ernest H. Goldsmith	04/13/16
San Francisco		Retirement	Hon. Lillian Kwok Sing	09/15/15
San Joaquin	1	Deceased	Hon. Franklin M. Stephenson	09/22/15
San Luis Obispo	3	Retirement	Hon. Michael L. Duffy	09/09/16
San Luis Obispo		Retirement	Hon. Jac A. Crawford	03/24/16
San Luis Obispo		Elevated	Hon. Martin J. Tangeman	02/22/16
Santa Clara	4	Retirement	Hon. Richard J. Loftus, Jr.	09/20/16
Santa Clara		Dis Retirement	Hon. Ron M. Del Pozzo	05/12/16
Santa Clara		Retirement	Hon. Susan Bernardini	07/31/15
Santa Clara		Retirement	Hon. Raymond J. Davilla, Jr.	04/18/15
Santa Cruz	1	Converted	Vacancy	11/25/15
Shasta	1	Retirement	Hon. William D. Gallagher	10/29/15
Sierra	1	Deceased	Hon. John P. Kennelly	11/04/15
Siskiyou	1	Retirement	Hon. Donald R. Langford	04/29/16
Solano	1	Retirement	Hon. David Edwin Power	10/16/15
Stanislaus	1	Retirement	Hon. Nan Cohan Jacobs	12/23/15
Sutter	1	Retirement	Hon. Christopher R. Chandler	05/31/16
Tulare	1	Separated	Hon. Valeriano Saucedo	05/25/16
TOTAL VACANCIES	66			

**Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month:
From September 2014 through September 2016 (two years)***

Month	Superior Courts				Courts of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
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%
Oct-15	1,715	1,592	123	7.2%	105	100	5	4.8%
Nov-15	1,717	1,615	102	5.9%	105	100	5	4.8%
Dec-15	1,718	1,622	96	5.6%	105	102	3	2.9%
Jan-16	1,719	1,623	96	5.6%	105	102	3	2.9%
Feb-16	1,719	1,618	101	5.9%	105	102	3	2.9%
Mar-16	1,719	1,613	106	6.2%	105	100	5	4.8%
Apr-16	1,719	1,606	113	6.6%	105	100	5	4.8%
May-16	1,719	1,601	118	6.9%	105	100	5	4.8%
Jun-16	1,726	1,618	108	6.3%	105	98	7	6.7%
Jul-16	1,726	1,616	110	6.4%	105	97	8	7.6%
Aug-16	1,726	1,614	112	6.5%	105	97	8	7.6%
Sep-16	1,726	1,610	116	6.7%	105	96	9	8.6%

* As of September 30, 2016

Authorized Judgeships and Vacancies in the Superior Courts

