



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: March 15, 2019

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Administrative Director's Report

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**Executive Summary**

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

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### **Judicial Officer Demographic Data**

The Judicial Council is required by statute to collect and release annually, by March 1, aggregate demographic information concerning the gender, race/ethnicity, sexual orientation, gender identity, and veteran and disability status of justices and judges by specific jurisdiction. Data collected from the December 2018 survey shows that for the 13th consecutive year, California's judicial bench has grown more diverse. The percentage of female justices and judges has increased to 36.3%, compared to 27.1% in 2006, the first year of data on which a report was produced. Of the almost 200 appointments made by Governor Brown during his final year in office: women accounted for more than half of those appointees; 41 percent identified as non-white. Responding to the questionnaire is voluntary. The full report is available on the California Courts website at: <https://www.courts.ca.gov/13418.htm>.

### **Audit Advisory**

An audit advisory was sent to all 58 trial courts highlighting best practices and providing guidance on areas of risk in court procurement and vendor payment processes. The advisory is based on required compliance with the California Judicial Branch Contract Law, the Judicial Branch Contracting Manual, and other relevant requirements from the Trial Court Financial Policies and Procedures Manual.

### **Human Resources and Payroll Services**

- Labor negotiations assistance was provided to two trial courts, including advice on successor memoranda of understanding negotiations. Additionally, support was provided on 17 different labor and employee related matters.
- Using the Phoenix payroll system, almost 12,000 salary and benefit tax forms (W2, 1099, and 1095C) were prepared and mailed to trial court employees, jurors, and vendors.

### **Facilities Services**

- Court facility modifications as of February 28, 2019

<i>Status</i>	<i>Number of Modifications</i>	<i>Estimated Cost</i>
Awaiting Shared Cost	10	\$ 13,625,677
In Design	23	\$ 6,335,425
In Work	570	\$ 128,687,084
<i>Total</i>	<i>603</i>	<i>\$ 148,648,186</i>

- Twelve real estate transactions were completed, including a new lease/license at the Superior Court of Los Angeles County, Stanley Mosk Courthouse; lease/license renewals at the Superior Courts of Alameda, Kern, Merced, Santa Clara, and Sonoma Counties; and two short-term event licenses.

### **Ability-to-Pay Tool Pilot Project**

As part of the pilot project to develop an ability-to-pay tool to help superior courts process traffic fine and fee determinations and streamline and automate the information exchanges involved, user acceptance testing was launched with the Superior Courts of Shasta and Tulare Counties. The courts are scheduled to be the first adopters of new ability-to-pay software for traffic infractions.

### **Veterans Treatment Court**

California was one of five states to receive a planning award from the Center for Court Innovation to develop a strategic plan for Veterans Treatment Courts. The award provides training and technical assistance and support that will result in a strategic plan for enhancing and expanding these courts throughout the state.

### **Juvenile Justice**

Juvenile file reviews were conducted at seven courts (Butte, Kings, Los Angeles, San Joaquin, San Mateo, Solano and Ventura Counties) to identify legal issues and training needs.

### **Chief Justice Liaison Meetings**

The Judicial Council's Governmental Affairs office coordinated Chief Justice liaison meetings with five stakeholder groups to discuss issues of mutual concern and interest for improving the administration of justice: the California Defense Counsel, California District Attorneys Association, California Public Defenders Association, Chief Probation Officers of California, and Consumer Attorneys of California.

### **Civic Learning Awards**

Ninety-two schools in 18 counties were recognized with Civic Learning Awards for their efforts to engage students in civic learning, including increasing awareness about the role of courts in our democracy. In its seventh year, the awards are co-sponsored by the Chief Justice and State Superintendent of Public Instruction and coordinated by Judicial Council staff.

## **Advisory Bodies**

Judicial Council advisory bodies focusing on the following areas of judicial administration met in person, by phone, or WebEx since the council's January meeting:

- |  |   |
|--|---|
| 1. Appellate Courts                    | 15. Language Access                             |
| 2. Audits and Financial Accountability | 16. Pretrial Reform and Operations              |
| 3. Access and Fairness                 | 17. Presiding Judges                            |
| 4. Civil and Small Claims              | 18. Prevention of Discrimination and Harassment |
| 5. Civil Jury Instructions             | 19. Probate and Mental Health                   |
| 6. Collaborative Justice Courts        | 20. Traffic                                     |
| 7. Court Executives                    | 21. Trial Court Budget                          |
| 8. Court Facilities                    | 22. Trial Court Facility Modification           |
| 9. Court Interpreters                  | 23. Tribal and State Courts                     |
| 10. Court Security                     | 24. Workers Compensation Program                |
| 11. Criminal Jury Instructions         | 25. Workload Assessment                         |
| 12. Criminal Law                       |   |
| 13. Family and Juvenile Law            |   |
| 14. Information Technology             |   |

## **Advisory Group Meeting Details**

### **Administrative Presiding Justices Advisory Committee**

- Discussed statewide appellate court policies, services, and operations, including the Proposition 66 Workgroup update, the e-notice system, and document management system deployment.

### **Advisory Committee for Audits and Financial Accountability**

- Reviewed and approved four audits performed by the State Auditor's Office, Department of Child Support Services, and Judicial Council Audit Services. The audits focused on court procurement practices, AB 1058 child support compliance, adherence to the Trial Court Financial Policies and Procedures Manual, Judicial Branch Statistical Information System reporting, and encumbrance policy compliance.

### **Advisory Committee on Providing Access and Fairness**

- Reviewed rules and forms proposals related to language access, gender identity/neutrality, and disability accommodation requests.

### **Appellate Advisory Committee**

- Approved a recommendation for an e-filing pilot program between one prison and the Court of Appeal, Third Appellate District.
- Developed a proposal to circulate for public comment on the implementation of legislation that expands expedited California Environmental Quality Act review, including new fees.
- Developed new and amended rules and new and revised forms regarding format of filed documents, oral argument, notice of appeal and record on appeal in civil commitment cases, advisement of appellate rights in juvenile cases, word limits for petitions for rehearing, access to juvenile case files in appellate court proceedings, service copy of petitions for review, and uniform formatting rules for electronic documents.

### **Court Executives Advisory Committee**

- Adopted revisions to the Judicial Branch Statistical Information System manual, providing reporting standards and data definitions.
- Discussed court executive participation in budget and legislative advocacy, impact of *Jameson v. Desta* (court reporters must generally be made available to indigent litigants), impact of sex offender registration on the courts, and information technology and resource sharing.
- Received updates on court security services, and the Privacy Resource Guide draft.
- Provided input to the Futures Traffic Working Group on the proposed integration of traffic infraction cases into the new civil adjudication model.

### **Court Facilities Advisory Committee**

- Reviewed court comments and approved the methodology for legislatively required reprioritization of capital projects.

- Approved the request from the Superior Court of Stanislaus County to build two courtrooms for juveniles in the proposed new Modesto Courthouse.
- Reviewed and approved 137 responses to the 2012 Pegasus audit of the court construction program (124 recommendations complete, 2 in process, 9 not accepted, and 2 obsolete).

#### **Civil and Small Claims Advisory Committee**

- Developed new and revised forms to implement legislation in mediation confidentiality, discovery motions, protective orders, and court interpreter information.
- Considered rules and forms proposals to implement legislation, including name and gender change, gun violence restraining orders, unlawful detainers, court reporter and court interpreter fee waivers, and unlawful use of personal identifying information.

#### **Civil Jury Instructions Advisory Committee**

- Considered revisions and additions to California Civil Jury Instructions based on developments in the law, including instructions on the Right to Repair Act, and damages in a survival action.

#### **Collaborative Justice Courts Advisory Committee**

- Discussed proposals related to the current standard of administration regarding drug diversion, and forms related to military veterans and juvenile competency evaluators.

#### **Court Interpreters Advisory Panel**

- Discussed upgrades to the Court Interpreter Data Collection System, status of the credential review procedures project, and whether a skills assessment tool is needed to assess performance when a complaint is filed against an interpreter.

#### **Court Security Advisory Committee**

- Received updates on funding for trial court security equipment, the 2019 membership solicitation for nominations, and trial court notifications of changes to security plans.
- Discussed next steps in the review/approval cycle of the 2019 annual agenda.

#### **Criminal Advisory Committee on Jury Instructions**

- Discussed the impact of SB 1437 (regarding accomplice liability for felony murder) on California Criminal Jury Instructions.

#### **Criminal Law Advisory Committee**

- Discussed rule and form proposals, including amending court rules to implement AB 1810 (establishes diversion rules for criminal defendants using a mental health program), amending forms to reflect changes to PC 1473.7 (allows a motion to vacate a conviction or sentence), developing a standard to guide courts with implementation of PC 236.14 (allows victims of human trafficking to petition to vacate a conviction), and developing forms to implement AB 865 (authorizes military service members to petition for a recall of sentence under specific conditions).

### **Family and Juvenile Law Advisory Committee**

- Discussed the fiscal year 2019–20 annual agenda, self-help recommendations from the Futures Commission, minors’ information on domestic violence forms, mental health services issues, access to juvenile court records, and best practices related to intersystem collaboration to encourage family engagement and improve case planning.

### **Futures Traffic Working Group**

- Finalized draft details on the proposed Invitation to Comment for moving minor traffic infractions to civil adjudication.

### **Information Technology Advisory Committee**

- Voted to recommend that the Judicial Council Technology Committee accept the final report from the Video Remote Interpreting workstream, and the results from the Digital Evidence workstream.
- Voted to recommend circulation of four rule proposals (submitted by the Rules and Policy Subcommittee) for public comment.

### **Judicial Branch Workers Compensation Program Advisory Committee**

- Approved development of two statewide initiatives: promoting information sharing between courts on select workers’ compensation topics, and a pilot return-to-work program.
- Approved the draft audit report of the workers’ compensation managed care program, a program designed to control workers’ compensation costs. The report will go forward to the council for consideration in May.
- Approved fiscal year 2019–20 premiums for all members (Supreme Court, Courts of Appeal, 57 trial courts, Commission on Judicial Performance, Habeas Corpus Resource Center, and Judicial Council).
- Discussed process improvements for workers’ compensation settlement authority requests.

### **Language Access Plan Implementation Task Force**

- Reviewed the Video Remote Interpreting Pilot Project report.
- Approved a bilingual volunteer protocol for courts to provide language access services at points of contact (other than court proceedings).
- *Budget and Language Access Plan Monitoring Subcommittee*: Reviewed progress of 2018 annual agenda projects and discussed a public outreach campaign in development by the National Center for State Courts.

### **Pretrial Reform and Operations Workgroup**

- Received an overview of the Pretrial Detention Reform Workgroup recommendations and the California pretrial landscape at this first in-person meeting of the newly created workgroup. This included presentations on the science and philosophy behind pretrial risk assessments, and detailed information on specific assessment tools used in California.
- Discussed policy considerations in using pretrial risk assessments, education needs for judges and court staff, and potential use of the proposed 2019–20 funding for pretrial pilot projects.

### **Probate and Mental Health Advisory Committee**

- Developed recommendations on issues including decedents' estate administration, trust administration, conservatorships, and guardianships.

### **Traffic Advisory Committee**

- Discussed traffic and infraction-related legislative proposals, including AB 47 (Daly) Driver records: points: distracted driving, and AB 461 (Lackey) Renewal of registration.

### **Trial Court Budget Advisory Committee**

- Voted on 26 budget change proposal concepts and developed and adopted trial court funding priorities for 2020–21 budget change proposals.
- Reviewed the recommendations for funding redistribution for court-appointed juvenile dependency counsel for 2018–19.
- *Fiscal Planning Subcommittee*: Considered six requests to hold funds on behalf of five courts, and the continuation of Children's Waiting Room funds for one court.

### **Trial Court Facility Modification Advisory Committee**

- Approved the 2019 annual agenda.
- Reviewed and approved emergency facility modification funding for 72 projects, and 88 facility modifications less than \$100,000.
- Discussed potential fiscal year 2020–21 budget change proposals and approved court-funded requests.

### **Trial Court Presiding Judges Advisory Committee**

- Discussed strategies for managing after *Jameson v. Desta*, including record keeping, diversion programs, and other practices.
- Discussed the impact of resentencing under the new statute on accomplice liability for felony murder (Senate Bill 1437), strategies for obtaining qualified mental health professionals to conduct evaluations, Commission on Judicial Performance reporting requirements, and best practices when commissioners preside over misdemeanor calendars.
- Received an update on the hearing held on the writ filed by the Superior Court of Stanislaus County; regarding trial court security services.

### **Tribal Court-State Court Forum**

- Discussed priorities for fiscal year 2019–20, including revising rules and forms to incorporate new federal and state legislation and appellate decisions, and tribal communities' response to sex trafficking.

### **Workload Assessment Advisory Committee**

- Reviewed assumptions behind work-year values used to determine full-time equivalents in the courts.
- Received an update on the progress of the Judicial Workload Study. Study results are expected to be finalized in mid-2019.



## **Workgroup for the Prevention of Discrimination and Harassment**

- Began developing recommendations for improving how the judicial branch can prevent and address harassment, discrimination, and inappropriate workplace conduct based on a protected classification.
- Reviewed numerous studies, reports, and research.

## **Judicial Branch Education**

### **Summary**

#### **Judicial Education**

1. Experienced Assignment Courses—California Environmental Quality Act
2. Immigration Issues in Domestic Violence Cases
3. New Judge Orientation
4. Primary Assignment Orientations: Basic Law - Civil, Criminal, Family Juvenile Delinquency, Juvenile Dependency, and Probate
5. Qualifying Judicial Ethics

#### **Judicial Officer, Court Employee, and Justice System Partner Education and Training Programs**

1. Advanced Core 40: Court Management
2. Behavioral Health Education Series
3. Continuum of Care Reform
4. Death Penalty Appeals and Habeas Corpus Proceedings After Proposition 66
5. Education, Training, and Development (Institute for Court Management)
6. Emotional Intelligence: A Key Competency for Successful Leaders
7. Family Finding and Engagement in Child Welfare
8. Felony Abstracts of Judgment
9. High Performance Court Framework (Institute for Court Management)
10. Labor Relations Academy
11. Partnering with County Behavioral Health to Serve Justice-Involved Populations
12. Preparing for Leadership
13. Tribal-State Programs Trainings

#### **Distance Education**

##### **Podcasts**

14. Keeping Discovery Civil: Effective Informal Discovery Conferences
15. Keeping Discovery Civil: The Value of Consistency
16. The Law of Murder Redefined

##### **Ten Minute Mentor**

17. Understanding the Interstate Compact

## Video

- 18. Disability Accommodations
- 19. Minor's Compromise Essentials
- 20. Presentation Skills

## Webinars

- 21. AB 1058 Guideline Calculator
- 22. Active Efforts and the Indian Child Welfare Act
- 23. Introduction to Investigations
- 24. Juvenile Law and Process Overview
- 25. Presumptive Transfer
- 26. Preventing and Responding to Sexual Harassment, for commissioners, referees, supervisors, and managers
- 27. Self-Help Service Providers
- 28. Workers' Compensation Service Guidelines Update

## Details

### **AB 1058 Guideline Calculator**

"How to" on using the online California Department of Child Support Services Guideline Child Support Calculator for child support commissioners, family law facilitators, and other court staff.

### **Advanced Core 40: Court Management**

For court employees who provide direct supervision, emphasizing skills for more experienced supervisors.

### **Civil Law—Basic (Primary Assignment Orientation)**

Orientation to basic civil law and procedure for judges and subordinate judicial officers new to a civil law assignment.

### **Continuum of Care Reform**

The changing child welfare landscape and efforts to improve foster care placement.

### **Criminal Law (Primary Assignment Orientation)**

Procedural and substantive law governing criminal cases from arraignment to posttrial, and practical solutions to common issues confronting the court.

### **Death Penalty Appeals and Habeas Corpus Proceedings After Proposition 66**

Course for legal processing clerks and assistants focusing on death penalty appeals (from preliminary record preparation through to the complete and accurate certification of the record on appeal), and capital habeas corpus petitions and proceedings in the superior courts following the implementation of Proposition 66.

**Disability Accommodations: What You Need to Know**

Types of accommodations, requests for continuances, confidentiality, the review process, and service animals.

**Education, Training, and Development (Institute for Court Management)**

Fundamentals of adult education and instructional design, and approaches to employee development. Participants assess the status of educational efforts at their own courts, and make improvement plans where needed.

**Emotional Intelligence: A Key Competency for Successful Leaders**

Learn how emotional intelligence underlies many critical leadership skills, and practice application to real-life scenarios.

**Experienced Assignment Courses—CEQA Overview**

Procedural and substantive framework to analyze issues presented by the California Environmental Quality Act (CEQA) in the approval of a public or private project.

**Family Finding and Engagement in Child Welfare**

Training for the Superior Court of San Benito County and child welfare professionals.

**Family Law (Primary Assignment Orientation)**

Review basic law and procedure to handle family law matters in courts of various sizes; decision making and calendar management skills through the study of hypothetical cases; role-playing; and problem-solving exercises.

**Felony Abstracts of Judgment**

How to prepare abstracts of judgment.

**High Performance Court Framework (Institute for Court Management)**

Methods to solve business problems, measure performance, and communicate with a variety of stakeholders to successfully implement business changes.

**Immigration Issues in Domestic Violence Cases**

Immigration law overview and understanding the challenges facing victims of domestic violence as a result of immigration concerns and the immigration status of the parties.

**Introduction to Investigations**

Successfully navigating workplace investigations, including adhering to Department of Fair Employment and Housing requirements, selecting the appropriate investigator, preparing an investigation strategy, identifying potential witnesses, preparing interview questions, and making findings of fact.

**Juvenile Delinquency (Primary Assignment Orientation)**

Juvenile delinquency law and procedure, including the philosophy underlying delinquency law, applicable statutes, rules of court, and case law. Exploration of child and adolescent development, substance abuse and domestic violence impacts on children, and competency and placement issues.

**Juvenile Dependency (Primary Assignment Orientation)**

Juvenile dependency law, procedure, and evidence rules; philosophy and responsibilities underlying the child welfare system and dependency court; child development; substance abuse; mental health; domestic violence; disproportionately high minority contact; the role of the judge or subordinate judicial officer in juvenile court; and unique ethical issues.

**Juvenile Law and Process Basic Overview**

Overview of the dependency legal system, focusing on dependency law, process, and legally mandated timelines.

**Keeping Discovery Civil: Effective Informal Discovery Conferences**

Tips and best practices for the effective use of informal discovery conferences.

**Keeping Discovery Civil: The Value of Consistency**

The value of consistency in both substantive rulings and sanctions when adjudicating discovery disputes.

**Labor Relations Academy**

For supervisors, managers and human resources (HR) professionals new to labor relations or non-HR staff who help support bargaining and contract administration.

**Law of Murder Redefined**

Legislative amendments to the law of murder and aider/abettor responsibility ushered in by the passage of Senate Bill 1437.

**Minor's Compromise Essentials**

Probate code provisions, mandatory forms, statutory and contractual liens, special-needs trusts issues, and approving attorney fee requests.

**New Judge Orientation**

Orientation introducing new judges, commissioners, and referees to their judicial duties and ethical responsibilities in ensuring fairness in all proceedings, promoting uniform court practices, and improving the administration of justice.

**Partnering with County Behavioral Health to Serve Justice-Involved Populations**

What services county behavioral health provides, including different treatment options, levels of care, and types of treatment providers.

**Preparing for Leadership**

Core competencies needed to explore lead/senior/supervisory opportunities, and how these competencies relate to participants' current roles.

**Presentation Skills**

Review of presentation skills, from presenting keynote speeches to team meeting updates.

**Presiding Judges and Court Executive Officers Court Management Institute**

Current challenges facing the courts, and court governance and leadership responsibilities.

**Presumptive Transfer**

New requirements of Assembly Bill 1299 (presumptive transfer of responsibility for specialty mental health services when a child is placed in a new county).

**Probate (Primary Assignment Orientation)**

Real as well as hypothetical cases, sample documents, and forms to provide tools to effectively address decedent estate administration, trust litigation, guardianship, and conservatorship cases.

**Self-help Service Providers Webinar**

The new law to protect information of minors in restraining orders.

**Tribal-State Programs**

- Training for judicial officers, court staff, and dependency court attorneys on the joint jurisdiction court being developed between the Yurok Tribal Court and the Superior Court of Del Norte County.
- Indian Child Welfare Act update for Superior Court of Alameda County staff.

**Understanding Interstate Compact**

10-Minute Mentor video explaining the Interstate Compact for Adult Offender Supervision.

## Staffing Metrics

As of February 28, 2019

STAFFING	Leadership Services Division						Operations & Programs Division						Administrative Division				Judicial Council
	Executive Office	Governmental Affairs	Public Affairs	Audit Services	Legal Services	Leadership Support Services	Center for Families, Children and the Courts	Court Operations Services	Criminal Justice Services	Center for Judicial Education & Research	Information Technology	Appellate Court Services	Budget Services	Branch Accounting & Procurement	Facilities Services	Human Resources	
Authorized Position (FTE)	12.00	10.00	9.00	14.00	55.00	57.80	63.00	26.60	26.00	48.50	137.00	7.00	45.00	136.00	142.00	51.00	839.90
Filled Authorized Position (FTE)	11.00	9.00	9.00	12.00	44.20	53.30	55.55	18.80	21.30	43.00	98.00	6.00	35.00	127.00	109.00	45.00	697.15
Headcount - Employees	11	9	9	12	45	54	56	19	22	43	98	6	35	128	109	45	701.00
Vacancy (FTE)	1.00	1.00	0.00	2.00	10.80	4.50	7.45	7.80	4.70	5.50	39.00	1.00	10.00	9.00	33.00	6.00	142.75
Vacancy Rate (FTE)	8.3%	10.0%	0.0%	14.3%	19.6%	7.8%	11.8%	29.3%	18.1%	11.3%	28.5%	14.3%	22.2%	6.6%	23.2%	11.8%	17.00%
Judicial Council Temp Employee (909)	2	0	0	0	0	0	0	0	0	0	0	0	1	2	1	0	6.00
*Employment Agency Temporary Worker (FTE)	0	0	0	0	0	0	1	0	0	2	1	0	2	5	1	2	14.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	33.20	0.0	0.0	0.0	0.0	0.0	33.20
TOTAL WORKFORCE (based on FTE, 909s, Agency Temps & Contractors)	13.00	9.00	9.00	12.00	44.20	53.30	56.55	18.80	21.30	45.00	132.20	6.00	38.00	134.00	111.00	47.00	750.35

See following page for definition of terms.

**Definitions:**

<b>Authorized Position (FTE)</b>	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.
<b>Filled Authorized Position (FTE)</b>	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
<b>Headcount</b>	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.
<b>Vacancy (FTE)</b>	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
<b>Vacancy Rate (FTE)</b>	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.
<b>Judicial Council Temporary Employees (909)</b>	<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>
<b>Employment Agency Temporary Worker (FTE)</b>	These are workers from an employment agency. They are employees of the employment agency that provide short-term support.
<b>Contractor (FTE)</b>	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.
<b>Full Time Equivalency (FTE)</b>	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.
<b>Time Base</b>	<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>
<b>Regular Employee</b>	Commonly referred to as "permanent employees" – They receive full benefits.
<b>Limited Term</b>	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 judicial appointments since the January Judicial Council meeting.

### Number of Judgeships Authorized, Filled and Vacant as of February 28, 2019

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	106	105	1	0	106	0
Superior Courts	58	1,743	1,688	7	48*	1,687	56
<b>All Courts</b>	<b>65</b>	<b>1,856</b>	<b>1,800</b>	<b>56</b>		<b>1,800</b>	<b>56</b>

\*50 new judgeships were authorized (but not funded) in 2008 with the enactment of AB 159 (Chapter 722, Statutes of 2007); funding was provided for two of the judgeships in the 2018 Budget Act.

### JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
First Appellate District, Division Three	1	Deferred Retirement	Hon. Martin J. Jenkins	2/22/2019
<b>TOTAL VACANCIES</b>	<b>1</b>			

### JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day in Office
Los Angeles	3	Retirement	Hon. John Joseph Cheroske Hon. Gerald Rosenberg Hon. Dan Thomas Oki	2/25/2019 2/14/2019 1/31/2019
Napa	1	Retirement	Hon. Diane M. Price	1/31/2019
Orange	1	Retirement	Hon. Kim Garlin Dunning	1/31/2019
San Diego	2	Retirement	Hon. Leo Valentine, Jr. Hon. Gerald C. Jessop	2/18/2019 2/15/2019
<b>TOTAL VACANCIES</b>	<b>7</b>			



## Number of Judgeships Authorized, Filled, and Vacant, February 2017–February 2019 (two years)\*

	Superior Courts				Courts of Appeal			
Month	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Feb-17	1,730	1,611	119	6.9%	105	98	7	6.7%
Mar-17	1,730	1,611	121	7.0%	105	98	7	6.7%
Apr-17	1,730	1,601	129	7.5%	105	98	7	6.7%
May-17	1,730	1,621	109	6.3%	105	98	7	6.7%
Jun-17	1,730	1,610	120	6.9%	105	97	8	7.6%
Jul-17	1,732	1,603	129	7.4%	105	95	10	9.5%
Aug-17	1,732	1,594	138	8.0%	105	94	11	10.5%
Sep-17	1,732	1,584	148	8.5%	105	94	11	10.5%
Oct-17	1,732	1,584	152	8.8%	105	94	11	10.5%
Nov-17	1,732	1,613	119	6.9%	105	96	9	8.6%
Dec-17	1,732	1,630	102	5.9%	105	95	10	9.5%
Jan-18	1,732	1,621	111	6.4%	105	94	11	10.5%
Feb-18	1,732	1,632	100	5.8%	105	97	8	7.6%
Mar-18	1,732	1,623	109	6.3%	105	95	10	9.5%
Apr-18	1,732	1,617	115	6.6%	105	93	12	11.4%
May-18	1,732	1,608	124	7.2%	105	93	12	11.4%
Jun-18	1,732	1,627	105	6.1%	105	97	8	7.6%
Jul-18	1,732	1,633	99	5.7%	105	101	4	3.8%
Aug-18	1,732	1,618	114	6.6%	105	100	5	4.8%
Sep-18	1,743	1,619	124	7.1%	106	100	6	5.7%
Oct-18	1,743	1,658	85	4.9%	106	103	3	2.8%
Nov-18	1,743	1,663	80	4.6%	106	106	0	0.0%
Dec-18	1,743	1,679	64	3.7%	106	106	0	0.0%
Jan-19	1,743	1,687	56	3.2%	106	106	0	0.0%
Feb-19	1,743	1,688	55	3.2%	106	105	1	0.9%

\* As of February 31, 2019.

Note: Growth in number of Authorized Judgeships reflects SJO conversions.  
Since 2007, 154 SJO positions have been converted to judgeships.

## Percent of Judgeship Vacancies in the Superior Courts, February 2017–February 2019

