



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 19, 2019:

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**Title**

Judicial Branch Administration: Proposal to Reaffirm an Updated Strategic Plan for California's Judicial Branch

**Rules, Forms, Standards, or Statutes Affected**

None

**Recommended by**

Hon. Douglas P. Miller, Chair  
Executive and Planning Committee  
Hon. David M. Rubin, Chair  
Judicial Branch Budget Committee and  
Litigation Management Committee  
Hon. Marsha G. Slough, Chair  
Judicial Council Technology Committee  
Hon. Kenneth K. So, Chair  
Policy Coordination and Liaison  
Committee  
Hon. Harry E. Hull, Jr., Chair  
Rules and Projects Committee

**Agenda Item Type**

Action Required

**Effective Date**

July 19, 2019

**Date of Report**

June 26, 2019

**Contact**

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### Executive Summary

The chairs of the Judicial Council's six internal committees have revised the existing plan and propose that the Judicial Council reaffirm [\*the existing strategic plan for the Judicial Branch\*](#) to maintain a guiding vision and direction for the judicial branch.

### Recommendation

The chairs of the Judicial Council's six internal committees recommend, effective immediately:

1. Reaffirm [\*the existing strategic plan for the Judicial Branch\*](#) by incorporating cosmetic changes, hyperlink additions, and other small adjustments that better align the strategic plan with the current environment; and
2. Continue to promote, implement, and maintain the seven strategic goals:
  - [\*Goal I: Access, Fairness, and Diversity\*](#)
  - [\*Goal II: Independence and Accountability\*](#)
  - [\*Goal III: Modernization of Management and Administration\*](#)
  - [\*Goal IV: Quality of Justice and Service to the Public\*](#)
  - [\*Goal V: Education for Branchwide Professional Excellence\*](#)
  - [\*Goal VI: Branchwide Infrastructure for Service Excellence\*](#)
  - [\*Goal VII: Adequate, Stable, and Predictable Funding for a Fully Functioning Branch\*](#)

### **Relevant Previous Council Action**

The Judicial Council's (council) strategic planning process sets the direction and provides leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice. The council first defined a planning cycle in the California Rules of Court, rule 10.1(c). At six-year intervals, the council develops and approves a long-range *strategic* plan. At three-year intervals, the council develops and approves an *operational* plan—a shorter-term agenda to implement the council's long-range strategic goals. The rule specifies that each plan is developed in consultation with branch stakeholders and justice system partners.

The first branch strategic plan dates back to 1992, in response to the analysis of the Commission on the Future of the California Courts: Justice in the Balance 2020 (2020 Commission). The trial court Community-Focused Court Planning Project ensued in 1998, and the trial courts submitted their first plans as a basis for branchwide planning in 1999. In August 2000, the council adopted an inaugural three-year operational plan. In December 2003, the council established a set of statewide, long-term goals in a plan that spanned from 2003 through 2006. In December 2006, the council adopted *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*. On December 12, 2014, the council added a seventh goal to the plan regarding the necessity of stable funding for the branch to meet operational needs and fulfill its constitutional responsibilities to the public and reaffirmed the strategic goals by updating the plan through 2016.

The strategic goals that the council has adopted through the evolution of the strategic plan are of an enduring quality. They continue to have relevance for the judicial branch during the past years of unprecedented operational uncertainties for courts and the branch resulting from ongoing restrictions on state funding for the courts.

### **Analysis/Rationale**

The goals and policies in the existing strategic plan remain relevant to present conditions and circumstances.

In April 2017, the Commission on the Future of California’s Court System (Futures Commission) released its final report, a road map for the branch moving forward. The report presents recommendations for legal and structural reforms for the judicial branch to improve access to justice and to better serve current and future generations of Californians. In May 2017, Chief Justice Tani G. Cantil-Sakauye referred several Futures Commission recommendations for immediate council action, including civil adjudication of minor traffic infractions, assistance for self-represented litigants, and expansion of technology in the court. Council advisory bodies have been working over the last two years to implement these recommendations.

Allowing time for the implementation of the Futures Commission recommendations presents an opportunity for the council to leverage the Future’s Commission’s work to inform the council’s own strategic planning process. Unless there is disagreement about the applicability of the goals and policies of the existing strategic plan, it is recommended that this plan remain in effect indefinitely.

Other committees have tied their strategic and operational plans to the branch, for example:

- The Judicial Council Technology Committee and its *Strategic Plan for Technology 2019–2022*, with its own technology-related goals to assist with finding and implementing technology solutions;
- The Joint Working Group for California’s Language Access Plan and its *Strategic Plan for Language Access in the California Courts*, which provides recommendations, guidance, and a consistent statewide approach to ensure language access to all limited-English–proficient court users in California; and
- The Access and Fairness Advisory Committee and its *Pathways to Achieving Judicial Diversity in the California Courts: A Toolkit of Programs Designed to Increase the Diversity of Applicants for Judicial Appointment in California*.

### **Policy implications**

This proposal reaffirms each of the seven goals in the existing strategic plan for California’s judicial branch, as amended December 12, 2014, and revised in 2019.

### **Alternatives considered**

This proposal is to reaffirm the strategic plan indefinitely. In developing and revising the strategic plan, the council invited and considered comments from:

- Council members
- Advisory committee and task force chairs, cochairs, and vice-chairs
- All presiding justices and judges
- All trial court executive officers
- Leadership of the State Bar

Two alternatives to this proposal were discussed but not recommended. One was to allow the existing strategic plan to lapse without replacement. This option was rejected because it would

leave the branch without a strategic plan to guide the priorities and work of the council, its advisory committees, and the trial and appellate courts.

Alternatively, the council's Executive and Planning Committee could initiate a new strategic planning cycle to develop a successive plan for the branch. However, this process would not be informed by the implementation of the Futures Commission's recommendations. In addition, the outreach required would be significant and the process would require some time to complete.

Reaffirming the existing plan as revised, indefinitely, will allow the branch to continue to operate under the still-relevant goals of that plan and to benefit from the work of the Futures Commission.

### **Fiscal and Operational Impacts**

None.

### **Attachments and Links**

[\*Justice in Focus: The Strategic Plan for California's Judicial Branch 2006–2016\*](#)