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Who is Kim Turner?

From 1999-2005, she was the former assistant and right hand woman to former Marin Court Executive Officer John Montgomery. She became the Marin Court Executive Officer in 2005, after Mr. Montgomery was arrested on 10 felony counts of conflict of interest, for funneling over \$650,000 in court consulting contracts to his girlfriend, acquiring property with that girlfriend and concealing the acquisitions, and taking out-of-state trips without proper court authorization. Ms. Turner knew about many of Mr. Montgomery's questionable and/or illegal acts, and she and/or current assistant Court Executive Officer Karen Richardson signed off on many of them. Yet, Ms. Turner waited until January, 2005, **right before an impending financial audit of the Marin courts**, to report Mr. Montgomery's improper conduct to the Marin presiding judge. <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2006/03/27/BAGEIHUH621.DTL&feed=rss.bayarea>

[Query: Did the pending financial audit of the Marin Courts inspire Turner and other court members to turn Montgomery in so they could excuse signing off on Montgomery illegalities, and then, with luck and a little coordination, take his place?]

The following is an excerpt from a document entitled "Internal Audit Services Report"(Special Investigation 2005-004) prepared by the Finance Division of the AOC, about John Montgomery, Kim Turner, and Turner's assistant, Karen Richardson (both former assistants of Mr. Montgomery):

*"Both assistant CEOs indicated that they were signing the expense claims, including travel claims, either under duress or intimidation, or were uncomfortable not signing them. Ms. Turner has also indicated that staff were frequently berated by Mr. Montgomery and were fearful of him. Ms. Turner has also stated that 'he used this tactic on me only once. . .I advised him that if he ever did that again, he would have my resignation. He knows that I will not tolerate this behavior directed at me.' **This raises a concern as to why she brought the issue to the PJ and the AOC at this time (January 2005) and did not raise it previously**" (bold emphasis added).*

The Administrative Office of the Courts concluded its Special Investigation report with the following paragraph about the Marin Court:

"The [Marin] court has continued a practice of following local procedures of the county and has not conformed to the AOC policy either concerning documentation or pre-approval of out-of-state travel (policies that became effective February 2004). The compliance with approved policies and procedures required by the Judicial Council/AOC are the specific responsibility of the court executive, Mr. Montgomery. Therefore, non-compliance is also attributable to him. Additionally, the non-compliance can and has led to his benefiting from the travel and other claimed expenses that are either not approved or are questionable. As indicated above, if he has his subordinates approve his claims this practice is also inappropriate and supports a conflict of interest, inappropriate/excessive/unauthorized travel, and questionable reimbursements of expense claims" (bold emphasis added).

It is notable that one-half of the approximately 180 Marin court employees reportedly signed a petition asking the Marin bench NOT to hire Kim Turner to replace John Montgomery, and, after she was hired anyway, all but a handful of those who signed the petition were replaced by the Marin Court.

So, the question is, amid years of public outcry about corruption, irregularities and/or illegalities in the Marin and other state courts (for example, see: <http://www.sfweekly.com/2000-10-18/news/odor-odor-in-the-court>, <http://www.pacificsun.com/square/index.php?i=3&d=&t=1677>, <http://www.newsmakingnews.com/kd,paulakamena,kellyvieirasimmons,error,carolmardeusz.htm>, <http://www.coastalpost.com/06/11/01a.html>.) and on the eve of a well-publicized request for an audit of the Marin Courts by the legislature, *why did Chief Justice Ron George appoint Marin's controversial Kim Turner, who was criticized by his own Administrative Office of the Courts, to be one of only 27 members of the Judicial Council?*

Critics wonder: Is the Chief Justice trying to reward Ms. Turner for covering up irregularities in the Marin Court that the Judicial Council has known about for years, or, is he trying to intimidate legislators into abandoning the JLAC audit altogether, by forcing them to seek information from, and perhaps question the integrity of, a Judicial Council member?

This information was sent by JusticeCalifornia on June 5, 2009 to state lawmakers and the press warning them about the implications of Kim Turner's appointment to the Judicial Council. Her appointment was made at the same time that the request for an audit of the Marin court was pending before the state legislature.

On June 4, 2009, the Judicial Council of California reported that the Chief Justice of the California Supreme Court, Ronald M. George, has appointed Marin County's Court Executive Officer, Kim Turner, to the California Judicial Council. <http://www.courtinfo.ca.gov/presscenter/newsreleases/NR31-09.PDF>

What is the Judicial Council?

According to the California Courts website, "The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. *Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration.*"

<http://www.courtinfo.ca.gov/presscenter/newsreleases/NR31-09.PDF>

So, the Judicial Council sets policy for the California courts, and the Administrative Office of the Courts ("AOC") carries out official actions of the Judicial Council.

What is the Judicial Council composed of?

According to the California Courts website, "*The Judicial Council is composed of 27 members: the Chief Justice; 14 judicial officers appointed by the Chief Justice (1 associate justice of the Supreme Court, 3 justices of the Courts of Appeal, and 10 trial court judges); 4 attorney members appointed by the State Bar Board of Governors; and 1 member from each house of the Legislature. There are currently six advisory members, including judicial officers and court administrators. Each council member is assigned to one or more of the council's internal committees*" (underline emphasis added).

<http://www.courtinfo.ca.gov/jc/membership.htm>

Marin County's own **Kim Turner** is now an advisory member of the California Judicial Council, and will now be helping set the policies of our California courts.