

## EXHIBIT "A"

### 1. CALIFORNIA CONSTITUTION ARTICLE 6 JUDICIAL

SEC. 6. (a) The Judicial Council consists of the Chief Justice and one other judge of the Supreme Court, three judges of courts of appeal, 10 judges of superior courts, two nonvoting court administrators, and any other nonvoting members as determined by the voting membership of the council, each appointed by the Chief Justice for a three-year term pursuant to procedures established by the council; four members of the State Bar appointed by its governing body for three-year terms; and one member of each house of the Legislature appointed as provided by the house.

(d) To improve the administration of justice *the council shall survey judicial business and make recommendations to the courts, make recommendations annually to the Governor and Legislature, adopt rules for court administration, practice and procedure, and perform other functions prescribed by statute.* The rules adopted shall not be inconsistent with statute. (emphasis added)

### 2. CAL. GOV'T. CODE §77001.5

"On or before November 1, 2007, the *Judicial Council shall adopt, and shall report to the Legislature annually thereafter upon, judicial administration standards and measures that promote the fair and efficient administration of justice,* including, but not limited to, the following subjects:

- (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration." (emphasis added)

### 3. JUDICIAL COUNCIL STRATEGIC AND OPERATIONAL PLANNING GOAL 1: ACCESS FAIRNESS DIVERSITY

"The branch is working to ensure that the courts are free from both bias and the appearance of bias, meeting the needs of increasing numbers of self-represented litigants, remaining receptive to the needs of all branch constituents, ensuring that court procedures are fair and understandable, and providing culturally responsive programs and services."

**4. 2013 AND 2014 JUDICIAL COUNCIL REPORT TO THE LEGISLATURE ON  
JUDICIAL ADMINISTRATION STANDARDS AND MEASURES THAT PROMOTE  
THE FAIR AND EFFICIENT ADMINISTRATION OF JUSTICE:**

Table 1 (Attached) : CAL COURTOOL DATA GATHERED:

**Access & Fairness Survey:** No ongoing reporting N/A N/A (no data available)

**Reliability and Integrity of Case Files:** No ongoing reporting N/A N/A (no data available)

**5. CODE OF JUDICIAL ETHICS EXCERPTS:**

**CANON 3 C. Administrative Responsibilities**

(1) A judge shall diligently discharge the judge's administrative responsibilities impartially,\* on the basis of merit, without bias or prejudice, free of conflict of interest, and in a manner that promotes public confidence in the integrity\* of the judiciary. . . .

(2) A judge shall maintain professional competence in judicial administration, and shall cooperate with other judges and court officials in the administration of court business.

(3) A judge shall require\* staff and court personnel under the judge's direction and control to observe appropriate standards of conduct. . . .

(4) A judge with supervisory authority for the judicial performance of other judges shall take reasonable measures to ensure the prompt disposition of matters before them and the proper performance of their other judicial responsibilities.

**CANON 3 D. (1) DISCIPLINARY RESPONSIBILITIES**

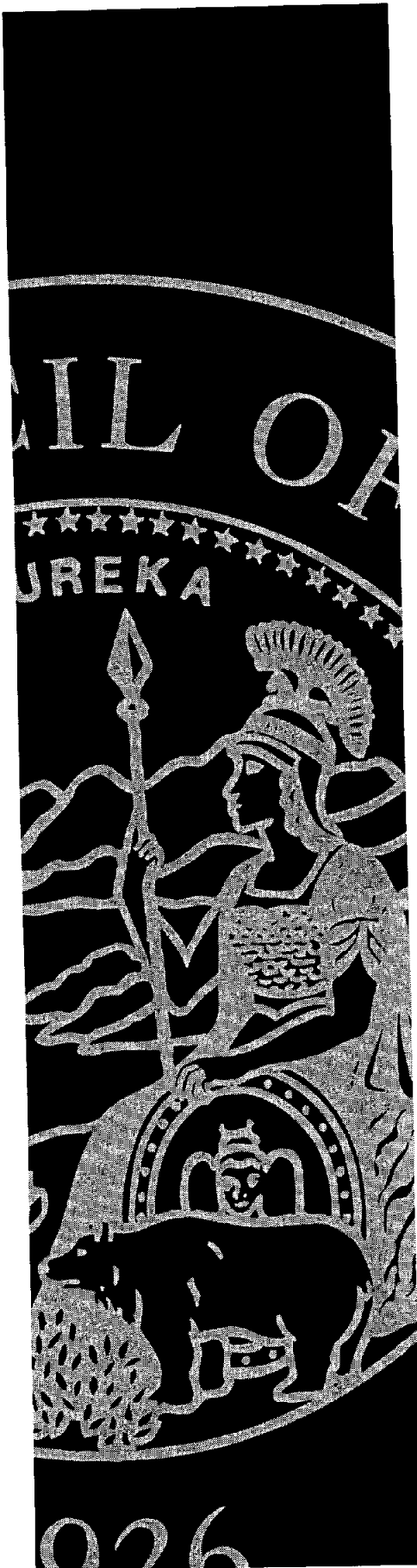
Whenever a judge has reliable information that another judge has violated any provision of the Code of Judicial Ethics, the judge shall take appropriate corrective action, which may include reporting the violation to the appropriate authority.

6. SENATOR DARRELL STEINBERG EXCEPTS FROM COMMENT 13 TO THE  
12/2009 COMMISSION ON IMPARTIAL COURTS FINAL REPORTS

“An impartial and independent judiciary is fundamental to the operation of our democracy and the dispensation of equal and fair justice under the law. Judicial accountability enhances public confidence in the judiciary, which is essential because of the crucial role the judiciary plays in adjudicating disputes and in preserving and protecting our democracy, our rule of law, and democratic processes. This I embrace wholeheartedly the goal of the Commission to study and recommend ways to strengthen the impartiality “.

*“I wish to express concern over the glaring lack of significant discussion and recommendations for improving judicial accountability, which I see as the most important goal of the Commission’s work. Without judicial accountability, the public will not have confidence in its judiciary, no matter how qualified or impartial the judges appear to be. The report itself recognizes (p.72) that “independence and accountability are equal in the eyes of the public and that the road to independence is through accountability.”* Yet, of the 109 recommendations proposed by the Commission, it fails to make a single recommendation for the mandatory adoption of ideas to enhance public accountability.”

“While I understand the judiciary’s discomfort with public judicial performance evaluations because of their subjective nature, *the more the public has an opportunity to comment upon the operations of the court, the better the public will understand how a court works and have confidence in its proceedings. Simply educating the public as to how the court operates is a one-way communication; there is no ability to ascertain the public’s reception of that communication or to receive any public feedback. Correspondingly, the more the public is shut out of the process of developing better court systems, the less trust and confidence it will have in the courts because the extant processes will not reflect the concerns of the public.* There are myriad methods for public judicial performance evaluations (JPEs) that can, and do, fairly measure performance, particularly those that use appropriate process-driven criteria to determine whether a judge handled a specific case in a balanced, fair, and efficient manner. JPEs, when designed and used properly, are but educational tools at their core. They can provide constructive feedback to judges and help them identify areas of strength and areas potentially in need of improvement, all for the greater good. I understand that JPEs are used in varying forms in 19 states, the District of Columbia and in Puerto Rico, with six states making the results available to the public. Surely, California’s judiciary should stand with those states that promote greater judicial accountability for the public and not less.” (emphasis added)



# **Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice**

REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2014



JUDICIAL COUNCIL  
OF CALIFORNIA

WORKLOAD ASSESSMENT  
ADVISORY COMMITTEE

## Introduction

Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- ✱ (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration.”

This annual report to the Legislature focuses the analysis on four key quantitative measures of trial court performance:

- Caseload Clearance Rates;
- Time to Disposition;
- Stage of Case at Disposition; and
- Trials by Type of Proceeding.

In addition to these measures, this report also provides information on the availability of branch resources including:

- Assessed need for new judgeships (Gov. Code, § 69614); and
- Status of the conversion of subordinate judicial officer positions to judgeships (Gov. Code, § 69615).<sup>1</sup>

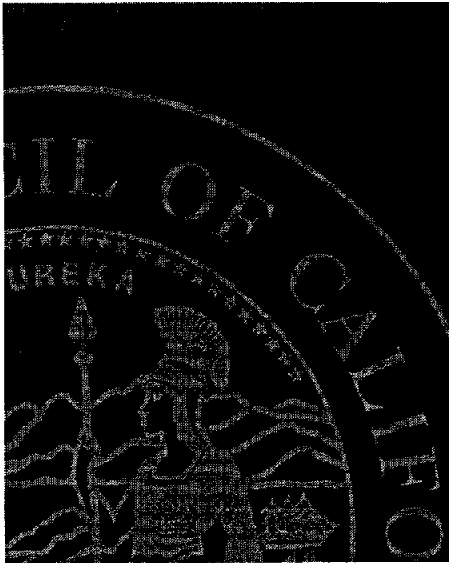
Finally, this report provides a brief narrative describing work conducted since the last reporting period to improve the standards and measures of judicial administration.

---

<sup>1</sup> For more information on the rationale for selecting these quantitative measures and how they align with the legislative mandate contained in Government Code Section 77001.5, see <http://www.courts.ca.gov/documents/lr-Jud-Admin-Stand-and-measures-122712.pdf>.

		<b>Table 1: Status of <i>CourTools</i> Data in California Trial Courts</b>				
		<b><i>NCSC's CourTools</i></b>	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
<b>CalCourTools</b>	<b>AVAILABLE</b>	Clearance Rates	Monthly Reports	All courts	Good	Appendix B
		Time to Disposition	Monthly Reports	Missing data from some courts on some case types	Fair	Appendix C
		Collection of Monetary Penalties	Annual report under PC 1463.010, Statewide Collection of Court-Ordered Debt	Statewide	Good	N/A
	<b>DATA NOT VALIDATED</b>	Cost per Case	Annual updates in <i>Resource Assessment Study</i>	All courts	Pending validation	
		Age of Active Pending Caseload	Monthly Reports	Missing data from many courts	Pending validation	
		Effective Use of Jurors	Annual Report	Missing data from fewer than 5 courts	Pending validation	
	<b>DATA NOT AVAILABLE</b>	<u>Access &amp; Fairness Survey</u>	No ongoing reporting	N/A	N/A	
		<u>Court Employee Satisfaction</u>	No ongoing reporting	N/A	N/A	
		<u>Reliability and Integrity of Case Files</u>	No ongoing reporting	N/A	N/A	
		<u>Trial Date Certainty</u>	No ongoing reporting	N/A	N/A	

The bottom four rows of the table show the *CourTools* measures for which there is no current data source. Collecting and reporting on these measures would require the devotion of new resources to data collection and analysis and/or reprogramming of court case management systems and the training of clerks to enter new data codes. The middle rows show measures for which some data are available. Most of these have not yet been validated and one is reported separately in a different legislatively mandated report. The top two rows show the *CourTools* data that are available now and respond to the mandate in Government Code section 77001.5:



# **Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice**

REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION 77001.5

DECEMBER 2013



ADMINISTRATIVE OFFICE  
OF THE COURTS

OFFICE OF COURT RESEARCH

## Introduction

Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- ★ (1) Providing equal access to courts and respectful treatment for all court participants;
- (2) Case processing, including the efficient use of judicial resources; and
- (3) General court administration.”

Since 2012, this annual report to the Legislature has focused the analysis of measures that promote the fair and efficient administration of justice on four key quantitative measures of trial court performance:

- Caseload Clearance Rates;
- Time to Disposition;
- Stage of Case at Disposition; and
- Trials by Type of Proceeding.

In addition to these measures, this report also provides information on the availability of branch resources including:

- The assessed need for new judgeships (Gov. Code, § 69614); and
- The status of the conversion of subordinate judicial officer positions to judgeships (Gov. Code, § 69615).<sup>1</sup>

Finally, this report provides a brief narrative describing work conducted since the last reporting period to improve the standards and measures of judicial administration.

---

<sup>1</sup> For more information on the rationale for selecting these measures and how they align with the Legislative mandate contained in Government Code 77001.5, see the 2012 report to the Legislature, *Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice*.



		<b>Table 1: Status of <i>CourTools</i> Data in California Trial Courts</b>				
		<b><i>NCSC's CourTools</i></b>	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
<b>CalCourTools</b>	<b>AVAILABLE</b>	Clearance Rates	Monthly Reports	All courts	Good	Appendix B
		Time to Disposition	Monthly Reports	Missing data from some courts on some case types	Fair	Appendix C
		Collection of Monetary Penalties	Annual report under PC 1463.010, Statewide Collection of Court-Ordered Debt	Statewide	Good	N/A
	<b>DATA NOT VALIDATED</b>	Cost per Case	Annual updates in <i>Resource Assessment Study</i>	All courts	Pending validation	
		Age of Active Pending Caseload	Monthly Reports	Missing data many courts	Pending validation	
		Effective Use of Jurors	Annual Report	Missing data from fewer than 5 courts	Pending validation	
	<b>DATA NOT AVAILABLE</b>	<u>Access &amp; Fairness Survey</u>	No ongoing reporting	N/A	N/A	
		Court Employee Satisfaction	No ongoing reporting	N/A	N/A	
		<u>Reliability and Integrity of Case Files</u>	No ongoing reporting	N/A	N/A	
		Trial Date Certainty	No ongoing reporting	N/A	N/A	

The bottom four rows of the table show the *CourTools* measures for which there is no current data source. Collecting and reporting on these measures would require the devotion of new resources to data collection and analysis and/or reprogramming of court case management systems and the training of clerks to enter new data codes. The middle rows show measures for which some data are available. Most of these have not yet been validated and one is reported separately in a different legislatively mandated report. The top two rows show the *CourTools* data that are available now and respond to the mandate in Government Code section 77001.5: