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**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS



**CALIFORNIA JUDGES ASSOCIATION**  
*The Voice of the Judiciary*

November 27, 2013

**Re: Judicial Salary Increase Effective July 1, 2013**

State employee bargaining groups are currently negotiating salary increase agreements with the executive branch to be effective in 2014-2015. While most negotiations are concluded, three are still in progress. By our preliminary calculations, and considering the way in which many of these multi-year agreements have been structured, by no later than the 2015-2016, we estimate that judicial salaries will be increased by an additional 4.5 percent pursuant to section 68203(a).

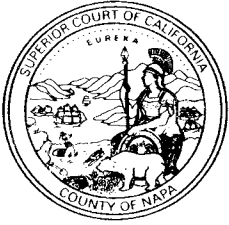
We are grateful to you as bench officers and CJA members, active and retired, for the sacrifices you have quietly made in these last years.

In the coming months, the Judicial Council and CJA will continue to devote our energies to successful budget advocacy in Sacramento as we work together to secure critically needed reinvestment in our justice system and preserve access to justice for all Californians.

Sincerely,

Steven E. Jahr  
Administrative Director of the Courts

Robert Glusman  
President, California Judges Association



# Superior Court of California County of Napa

## Judges

Diane M. Price  
Rodney G. Stone  
Francisca P. Tisher  
Raymond A. Guadagni  
Mark S. Boessenecker

## Commissioners

Michael S. Williams  
Monique Langhorne-  
Johnson

## Court Executive Officer

Richard D. Feldstein

July 11, 2012

Jody Patel  
Interim Administrative Director  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Ms. Patel:

In accordance with Government Code sections 68106 and 68108, the Napa Superior Court hereby provides notice of its intent to **close its courthouses at 2:30 p.m. on Friday** of each week beginning September 7, 2012, through the end of calendar year 2013. It also intends to close its courthouses for a full day on Christmas Eve and New Year's Eve in December 2012 and 2013. As such and in accordance with a Memorandum of Understanding with our represented **employees, all staff will be furloughed during these closures as well as three other non-closure furlough days throughout the year.** These actions are being taken in an effort to reduce court operations expenditures in response to the devastating effects of five straight years of trial court budget reductions by the State of California.

The court deeply regrets having to take these actions and only does so after exhausting all other alternatives to cope with multiple years of the statewide reductions to trial court funding. Since the beginning of the economic downturn in fiscal year 2008/09, the court has implemented between 9 and 12 staff furlough days each year, hiring freezes, and employee layoffs. In addition, it has reduced all supply and services expenditures to the bare minimum necessary to continue to operate. However, the state's unprecedented budget reductions announced and enacted after the state budget May revise of this year has made these actions necessary to continue to provide basic and necessary judicial services while continuing to function within our dramatically decreased funding level.

Please be assured that the court has chosen this course of action only after engaging in significant analysis and debate. Furthermore, we will continue to work closely with our local bar association and justice partners to take all reasonable actions necessary to lessen the

## Telephone

(707) 299-1100

## Historic Courthouse

825 Brown Street  
Napa, CA 94559-3031  
FAX: (707) 299-1250

## Criminal Courthouse

1111 Third Street  
Napa, CA 94559-3001  
FAX: (707) 253-4673

## Juvenile Courthouse

2350 Old Sonoma Road  
Napa, CA 94559-3703  
(site address only –  
no mail delivery)

Jodi Patel  
Page 2 of 2  
July 11, 2012

impact of any such decisions on the community we serve. We sincerely hope that a statewide economic recovery will soon lead a reversal of these necessary measures.

Sincerely,



Richard D. Feldstein  
Court Executive Officer

rdf/crb

cc: Hon. Diane M. Price, Presiding Judge  
Hon. Rodney S. Stone, Assistant Presiding Judge

#### Review of Facts and Findings:

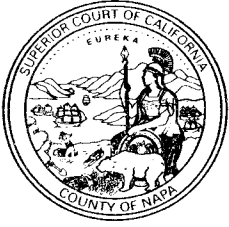
##### Facts:

Judicial Council April 28, 2011 "The AOC has forwarded these six notices to the required legislative leaders."  
Napa Superior Court: Adds to the Notices being sent to Legislative Leaders.]

##### Findings:

Send as many notices to Legislative Leaders to give the appearance it is their fault for "depriving the court system"?

Personal Observation: Bonus time off for Judges and CEO, what a great system - right!



## Superior Court of California County of Napa

# NOTICE OF COURT CLOSURES

The State of California's fiscal crisis has caused all government agencies to closely examine all operations and expenditures, and to evaluate cost efficiencies and effectiveness, wherever necessary. Despite the Napa Superior Court's history of prudent fiscal planning, effective cost-cutting measures, and revenue generating strategies, the court now faces an immediate deficit of as much as \$2 million in fiscal year 2012-13, which started on July 1, 2012. Simply stated, this is the most severe fiscal crisis that the court has ever faced and well beyond anything that could have been anticipated.

In light of such a drastic situation, the court has had to quickly explore options for reducing costs and increasing efficiency. Due to the urgency of the situation, it was necessary to make difficult decisions quickly. The court concluded that by closing the court at 2:30 p.m. each Friday rather than 5:00 p.m., and for a full day on Christmas Eve and New Years Eve, it would realize significant and immediate cost savings necessary to continue to operate within its severely reduced budget. These closures will begin on September 7, 2012, and continue through calendar year 2013.

Any interested person or entity who wishes to comment may do so in writing by either of the following methods:

E-mail: [courtinfo@napa.courts.ca.gov](mailto:courtinfo@napa.courts.ca.gov)

OR

Correspondence: Court Executive Office  
Napa Superior Court  
825 Brown Street  
Napa, CA 94559

# JUDICIAL SALARY INCREASE!!! Yet Judges and Judicial CEO's are "Claiming" Court Reduction of Hours, Other Staff - but Not Them!



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS



**CALIFORNIA JUDGES ASSOCIATION**  
*The Voice of the Judiciary*

November 27, 2013

## Re: Judicial Salary Increase Effective July 1, 2013

Dear Colleagues:

Following discussions between the judicial and executive branches, we are pleased to inform you of a judicial salary increase of 1.4 percent, retroactive to July 1, 2013. This increase represents the average annual calculation of negotiated labor agreements for represented state employees in accordance with Government Code §68203(a).<sup>1</sup>

In July of this year, the State Department of Human Resources (CalHR) advised that judicial salaries would be increased by 0.22 percent, effective July 1, 2013. This figure was based on the average increase provided to represented state employees in 2013–2014. Because it overlooked a 0.97 percent increase from 2008–2009, which was not authorized for funding at that time due to the deepening recession, as well as a 0.21 percent increase between 2009–2010 and 2010–2011, the Judicial Council and the California Judges Association (CJA) jointly contacted the directors of the Department of Finance (DOF) and CalHR to address this oversight in the application of Section 68203(a).

As background, in 2008–2009, when all represented state employee bargaining groups completed their salary negotiations and the average of the salary increases was computed by the CalHR at 0.97% percent, the former Administration would not authorize a judicial pay increase pursuant to the statutory formula provided in section 68203(a). After protracted discussions with the Administration at that time, judicial branch leadership elected to defer rather than to formally contest addressing that decision. The Administrative Office of the Courts, acting on behalf of the Judicial Council, and CJA did so because the state was then descending into its worst recession since the 1930's, resulting in the successive years of significant staff attrition that courts throughout the state have experienced.

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<sup>1</sup> Government Code §68203(a) has for decades provided an automatic mechanism for inflation adjustment of judicial salaries, obviating a need for annual judicial salary negotiations with the executive branch. The average percentage salary increase for state employees in a fiscal year is used to calculate the judicial salary increase amount. As an illustration of the effects of this statute over time, at the outset of 1985, a superior court judge's salary stood at \$72,763. From that time to the present, section 68203(a) has operated on 20 separate occasions to raise judicial salaries, with the exception of two 8.5% salary increases, one afforded in 2001 and the other in 2007, both as a result of special legislation. Section 68203(a) does not produce a windfall, but, importantly, it insulates judicial salaries from the significant effects of inflation, over time, and represents sound public policy.

In the current year, both of us were plain in our discussions with the Department of Finance Director that the statute is clear on its application to this period. At conclusion of these discussions, the director advised that judicial salaries would be increased, effective July 1, 2013, by 1.4 percent (representing the 0.97 percent from 2008–2009, 0.21 percent arising from state salary increases between 2009–2010 and 2010–2011 brought forward by the Administration, and 0.22 percent for 2013–2014), but that the Administration has no funds for, and will not consider a retroactive salary increase earlier than July 1, 2013.

In light of the fact that funds for payment for periods before July 1, 2013, do not exist in the current state budget, and given the state fiscal issues, the efforts of former judicial branch leadership to preserve the statute, and the current administration's commitment regarding its full and timely application going forward, we believe that this is the best possible outcome under current circumstances.

The AOC Human Resource Services Office will work with the State Controller's Office (SCO) in determining when the paychecks will first reflect this salary increase, and when a single additional check will be issued to each judge and justice, representing the increment of salary increase which has accrued since July 1. We will notify you of the specifics when they are provided.

Corresponding adjustments will be made by PERS for retired judges in JRS I according to the terms of that retirement plan.

State employee bargaining groups are currently negotiating salary increase agreements with the executive branch to be effective in 2014–2015. While most negotiations are concluded, three are still in progress. By our preliminary calculations, and considering the way in which many of these multi-year agreements have been structured, by no later than the 2015–2016, we estimate that judicial salaries will be increased by an additional 4.5 percent pursuant to section 68203(a).

We are grateful to you as bench officers and CJA members, active and retired, for the sacrifices you have quietly made in these last years.

In the coming months, the Judicial Council and CJA will continue to devote our energies to successful budget advocacy in Sacramento as we work together to secure critically needed reinvestment in our justice system and preserve access to justice for all Californians.

Sincerely,



Steven E. Jahr  
Administrative Director of the Courts



Robert Glusman  
President, California Judges Association

Judicial Council Encouraging Courts to reduce hours and reduce - eliminate other staff to make the Public feel the loss and to show Legislative Leaders they need more money, even though Judges and Judicial CEO's take Salary Increases and all the while spend Millions per YEAR on Seminars in Hawaii, transportation etc, etc.



## Judicial Council of California Administrative Office of the Courts

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

[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: April 29, 2011

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**Title**

Government Code Section 68106:  
Implementation and Notice by Trial Courts of  
Closing Courtrooms or Clerks' Offices or  
Reducing Clerks' Office Hours (Report #3)

**Agenda Item Type**

Information Only

**Date of Report**

April 20, 2011

**Submitted by**

Kenneth L. Kann, Director  
Nancy E. Spero, Senior Attorney  
Executive Office Programs Division

**Contact**

Nancy E. Spero, 415-865-7915  
[nancy.spero@jud.ca.gov](mailto:nancy.spero@jud.ca.gov)

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### Executive Summary

In the 2010 Judiciary Budget Trailer Bill, Senate Bill 857, the Legislature provided fee increases and fund transfers for the courts and also added a new section 68106 to the Government Code.<sup>1</sup> The latter directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' office hours on days that are not judicial holidays, and (2) the council to post on its website<sup>2</sup> and relay to the Legislature all such court notices. This is the third report providing information about the implementation of these notice requirements.<sup>3</sup> Since the first two reports, one more court, Tehama, has given such notice, which it issued on April 18, 2011.

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<sup>1</sup> A copy of Government Code section 68106 is included as Attachment A to this report.

<sup>2</sup> The California Courts website is [www.courts.ca.gov](http://www.courts.ca.gov).

<sup>3</sup> The first report, dated December 3, 2010, can be found at <http://www.courts.ca.gov/20101214govcode68106.pdf> and was provided to the council at its December 14, 2010, business meeting. The second report, dated February 2, 2011, can be found at <http://www.courts.ca.gov/infogovcode68106.pdf> and was provided to the council at its February 25, 2011, business meeting.

## **Mandate in Government Code Section 68106 (Budget Act of 2010)**

In providing fee increases and fund transfers for the courts, the Legislature in its Budget Act of 2010 expressly declared its intention that trial courts remain open to the public on days that are not judicial holidays and that access to court services for civil litigants be preserved to the extent practicable. To that end, Government Code section 68106 imposes the following notice requirements on trial courts and the Judicial Council:

- Trial courts must provide notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices, although "[n]othing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions."<sup>4</sup> The trial court is to provide this notice "by conspicuous posting within or about its facilities, on its public Internet Web site, and to the Judicial Council . . . ."<sup>5</sup> The notification shall include information about the scope of the closure or reduction in hours and about the financial constraints or other reasons that make the closure or reduction necessary.
- The Judicial Council must, within 15 days of receiving a notice from a trial court, "conspicuously" post the notice "on its Internet Web site" and forward a copy to the chairs and vice-chairs of the legislative Committees on the Judiciary, the chair of the Assembly Committee on Budget, and the chair of the Senate Committee on Budget and Fiscal Review.

## **Implementation Efforts**

The Administrative Office of the Courts (AOC), which carries out the directives of the Judicial Council, notified all trial court presiding judges and court executive officers of this statutory mandate and provided legal guidance regarding compliance from the AOC Office of the General Counsel. Trial courts have been requested to send any notices of the kind described in section 68106 to their AOC Regional Administrative Director.

The AOC has placed on the home page of the California Courts website a link to a "Limited Court Service Days" page with information about Government Code section 68106,<sup>6</sup> as well as notices received from trial courts about courtroom or clerks' office closures or reductions in clerks' office hours. Below is the current matrix from the California Courts website listing the six courts, to date, that have given notice to the Judicial Council and linking to their notices. Since the last report to the council, the Tehama court has been added.<sup>7</sup>

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<sup>4</sup> Gov. Code, § 68106(c).

<sup>5</sup> *Id.*, § 68106(b).

<sup>6</sup> This page is available at <http://www.courts.ca.gov/12973.htm>

<sup>7</sup> A copy of the new notice from the Tehama trial court is also included as Attachment B to this report.



Superior Court	Date Notice Received	Notice to the Judicial Council
Lassen	11/12/10	<a href="#">PDF</a>
Mendocino	01/21/11	<a href="#">PDF</a>
San Francisco	11/22/10	<a href="#">PDF</a>
San Mateo	12/01/10	<a href="#">PDF</a>
Santa Cruz	10/28/10	<a href="#">PDF</a>
Tehama	04/18/11	<a href="#">PDF</a>

The AOC has forwarded these six notices to the required legislative leaders.

### Attachments

1. Attachment A: Government Code section 68106
2. Attachment B: Notice from the Tehama trial court as required under Government Code section 68106

Government Code section 68106.

(a) (1) In making appropriations for the support of the trial courts, the Legislature recognizes the importance of increased revenues from litigants and lawyers, including increased revenues from civil filing fees. It is therefore the intent of the Legislature that, to the extent practicable, access to court services for civil litigants be preserved in the allocation of resources by and for trial courts.

(2) Furthermore, it is the intent of the Legislature in enacting the Budget Act of 2010, which includes increases in civil and criminal court fees and penalties, that trial courts remain open to the public on all days except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115.

(b) Trial courts shall provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115. The notification shall include the scope of the closure or reduction in hours, and the financial constraints or other reasons that make the closure or reduction necessary. Within 15 days of receipt of a notice from a trial court, the Judicial Council shall conspicuously post on its Internet Web site and provide the chairs and vice chairs of the Committees on Judiciary, the Chair of the Assembly Committee on Budget, and the Chair of the Senate Committee on Budget and Fiscal Review a copy of any notice received pursuant to this subdivision. The Legislature intends to review the information obtained pursuant to this section to ensure that California trial courts remain open and accessible to the public.

(c) Nothing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions.



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF TEHAMA**

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**\*\*\*PUBLIC NOTICE\*\*\*  
PURSUANT TO GOVERNMENT CODE 68106**

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FOR IMMEDIATE RELEASE

DATE: April 18, 2011

**NOTICE OF CHANGE OF  
TEHAMA SUPERIOR COURT CLERKS' OFFICE HOURS  
EFFECTIVE JULY 1, 2011**

**MONDAY THROUGH THURSDAY:  
8:00 A.M. – 4:00 P.M.**

**FRIDAY:  
8:00 A.M. – 3:00 P.M.**

- This notices a reduction in hours from 8:00 a.m. to 5:00 p.m. Monday through Friday.
- This change applies to all three clerks' office locations in the cities of Red Bluff and Corning.
- A document drop box will be provided at all locations to receive documents after 4:00 p.m. on Monday through Thursday and after 3:00 p.m. on Fridays. All documents dropped on or before 5:00 p.m. will be received and filed the day they are dropped. All documents will be removed from all drop boxes just after 5:00 p.m. daily. Any document dropped after 5:00 p.m. will be received and filed the following court business day.
- The Tehama Superior Court has taken this action due to ongoing budget cuts and a reduced work force. Through attrition, the court clerks' office staff has been reduced by approximately 18% over the past three years, with no replacements being hired due to fiscal constraints. The number of filings that the court has received in the same period, however, has remained constant. The slight adjustment to the clerks' office hours announced in this notice will allow staff to eliminate backlog that has accrued in some areas and remain current with new work. It also will allow all employees to participate in meetings and trainings, facilitating internal communication and allowing staff to keep abreast of any changes in law or policies and procedures, which is necessary to ensure a continued high level of service for all court users.



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Yet Judges and Judicial Branch Con't to take  
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## NAPA – CONTINUATION OF FRIDAY 2 pm COURT CLOSURES

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As you know, the state financial crisis has resulted in severe trial court budget reductions throughout the state over the past six years. In addition to closing every Friday at 2:30 p.m., as well as Christmas and New Year's Eve in 2012 and 2013, the court has absorbed these reductions with the cooperation of its employees through measures such as furloughs, layoffs, elimination of prior agreed upon cost of living increases, hiring freezes, and all other reasonable efforts to control labor, supply, and contractual service costs.

As a result, the court will continue to close at 2:30 p.m. on each Friday. In addition, the court plans to be closed on the following days:

- Wednesday, November 26, 2014
- Friday, December 26, 2014
- Friday, January 2, 2015

The court regrets having to continue this action and appreciates your understanding and cooperation.

Categorized in: [Legal Procedures](#)