

7/20/11

Dear Members:

As you know, NBC affiliate KCRA in Sacramento ran a story dealing with allegations of AOC misuse of construction funds for routine maintenance work. Part I of the story ran on Monday. The matter has captured the attention of the legislature. Last night, KCRA ran a follow up piece featuring Assembly Majority Leader Charles Calderon. Part II can be viewed by clicking on:

<http://www.kcra.com/video/28610393/detail.html>

In his interview with KCRA, Majority Leader Calderon stated that he will seek the formation of an investigative committee in the Assembly to look into these allegations.

On another subject, a meeting of the Judicial Council is scheduled for this coming Friday. The Council is scheduled to decide on the allocation of branch funding. Alliance President Judge David Lampe will personally address the Council on our budget proposal. Live audio for the upcoming meeting as well as the start time and agenda materials can be accessed at

<http://www.courts.ca.gov/3044.htm>

Next we have included a story from today's Courthouse News Service by Maria Dinzeo. It deals with CJA's efforts to agree upon a budget position before the meeting on Friday. The story is set forth in full below.

Thank you for your continued support.

Directors,  
Alliance of California Judges

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**Dispute Arises Within Prominent California Judges Group**

By MARIA DINZEO

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(CN) -- A whirlwind of controversy following statements made by the president of the California Judges Association was forestalled late Wednesday, after he agreed to meet with executive officers to draft a resolution clarifying the organization's position on devastating budget cuts to the state judiciary. "There was growing concern about people speaking inappropriately or inconsistently with what we thought was the expressed policy of the CJA," said retired Los Angeles trial court judge and CJA executive board member Gregory O'Brien. "I think we just needed some kind of clarification and consistency at this point."

O'Brien was referring to recent statements made by outgoing CJA president Judge Keith

Davis to the *San Jose Mercury News*, wherein Davis was asked about the notion that the branch's administrative agency should bear most of the \$350 million in cuts approved by the Legislature last month. "It is an idea that doesn't have a lot of support along the broad base of the judiciary," Davis told the *Mercury News*.

O'Brien and other CJA executive board members disputed Davis' remarks, saying they were not in line with statements made at a meeting of the judiciary's budget committee last week, where Judge David Rubin, soon to be the CJA's new president, said that funding the trial courts and courts of appeal should be the judiciary's highest priority. "Davis' comments in the *Mercury News* were inconsistent with the statement that was made by president-elect Rubin to the Trial Court Budget Working Group. We needed to get everybody on the same page," O'Brien said.

The buzz earlier in the day on Wednesday had been that Davis was refusing to call a meeting of the executive board, and some judges were circulating draft copies of resolutions reiterating the CJA's official position that trial court funding should take precedent over judicial branch administrative costs. Davis was unavailable for comment.

"Keith Davis has called the meeting so I think whatever was perceived as the crisis of the moment has passed," said O'Brien, noting that he had not been the one to attempt contact with the outgoing CJA president and could not speak to the veracity of rumors surrounding Davis' alleged refusal to convene the board.

O'Brien said the meeting would not be of the entire executive board, but of a contingent of officers. "There's going to be a meeting of the executive committee, we're not going to have a great big board meeting," O'Brien said, adding the committee will consider drafting a statement from the resolutions circulated on Wednesday. O'Brien said he was unable to share the draft resolutions, but said the CJA's official statement is expected to be sent to the Judicial Council for consideration at its Friday meeting. At that meeting, the council will vote on a proposal to cut the administrative staff's budget by 12 percent and the budgets of the trial courts and courts of appeal by 6.7 and 9.7 percent, respectively.

In an interview Wednesday, CJA president-elect Rubin restated the CJA's stance on the judiciary's budget crisis. "The CJA's position on the issue of the budget is very clear. We are supporting the chief in her efforts to keep the trial courts and courts of appeal open. Any cuts to the public service part of the judicial branch must be as minimal as possible and administrative costs should bear the brunt of any proposed reductions," Rubin said. He added that he stood behind his remarks to the Trial Court Budget Working Group last week. "I speak on behalf of my organization and the organization has spoken really clearly and succinctly. This is a situation where you have catastrophic cuts to this branch. The cuts to the trial courts and courts of appeal need to be minimal, if at all. The brunt of the cuts need to be borne by the administration."

The San Diego judge also addressed the budget woes recently unveiled in the San Francisco Superior Court, where Presiding Judge Katherine Feinstein [announced](#) a 40 percent staff reduction and layoff notices for all 11 hearing officers and commissioners. "We cannot have commissioners and referees laid off. They're an essential part of our justice system," Rubin said, adding that he hoped at Friday's Judicial Council meeting "we'll be able to dig deeper and backfill the money that's been cut."