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[Back to Article](#)

## Report on AOC Seized as Weapon in Budget and Governance Battles

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SACRAMENTO — Citing a [May 24 report](#) that blasted California's judicial administration as overstuffed and dysfunctional, a Los Angeles assemblyman has called for deep cuts to the Administrative Office of the Courts in the 2012-13 budget.

Assemblyman Mike Feuer, D-Los Angeles, who chairs the Judiciary Committee, told an Assembly budget subcommittee Thursday night that the AOC workforce should be whittled to 770 employees, down from its 2011 high of almost 1,100. The recommendation mirrors one made by the Strategic Evaluation Committee, the chief justice-appointed body that offered blunt criticisms of the AOC in its nearly 300-page report.

Feuer also proposed redirecting \$20 million from the branch's assigned judges program to trial court operations to defray a small portion of the \$300 million in cuts that Governor Jerry Brown has proposed to their local reserves.

"Up and down the state, I do think anything close to the cuts contemplated will pretty much result in dozens and dozens of courtrooms closed," Feuer said. "There shouldn't be a need for the assigned judges program in a context where we have judges ... reassigned from their benches."

The Strategic Evaluation Committee's report, unveiled during the heat of state budget negotiations, has offered ammunition to both judges and lawmakers and their differing agendas for branch governance and administration. The Alliance of California Judges has cited the criticisms in its renewed call for democratizing the Judicial Council and enacting stalled legislation that would shift more power to the trial courts. Chief Justice Tani Cantil-Sakauye has laid out a deliberative process in which committees will consider the report's 100-plus recommendations and the Judicial Council will enact changes over time.

But it may ultimately be the Legislature, fueled more by a fast-approaching budget deadline than the SEC's report, that dictates the pace and scope of change. Feuer and a Republican colleague signaled Thursday that they have no appetite for the governor's proposal to end local courts' authority to maintain reserves. And the governor's plan to create an alternative Judicial Council-controlled emergency fund "makes no sense to me," Feuer added.

Instead, Feuer wants lawmakers to consider tacking a dollar or two onto marriage license fees to ensure courts stay open to domestic violence victims. The assemblyman, now a candidate for Los Angeles city attorney, also asked budget staff to scour fund balances held by the Department of Motor Vehicles and other agencies "that have a nexus to what happens in our court system."

It's unclear if such a money search would uncover enough for some courts. San Francisco Superior Court Presiding Judge Katherine Feinstein on Thursday warned that she and Los Angeles County Superior Court Presiding Judge Lee Smalley Edmon are "looking at a complete shuttering of our civil divisions" if the governor's budget is enacted.

The budget subcommittee did not vote on Feuer's proposals, and budget talks have moved behind the scenes within the Capitol.

Judges around the state were still grappling with the potential budget cuts Friday while trying to process the Strategic Evaluation Committee's report.

"I did hear more than one [judge] that said, 'Well I guess we can now say, 'I told you so.''" Los Angeles County Superior Court Judge Stephen Czuleger, a critic of what he said is an AOC that opposes any questioning or dissent, wrote in an email.

Czuleger called the report a potential "game changer" if the Judicial Council reacts quickly.

"If not, then I am afraid the Legislature will want to be taking a good look at the AOC's operations and we will lose the opportunity to right our own ship," Czuleger said. "This is especially true given the current budget crises that we find ourselves in."

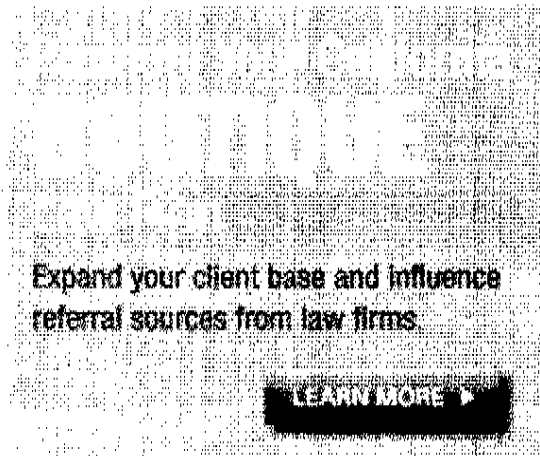
Yolo County Superior Court Presiding Judge David Rosenberg, chair of the Trial Court Presiding Judges' Advisory Committee, said there's "great unanimity" among court leaders in support of the Strategic Evaluation Committee's findings. But he warned against linking AOC cuts to a branch budget fix.

"Even if you were to cut the AOC in half ... that doesn't solve the operational problems of the trial courts," Rosenberg said. "It's not the silver bullet."

Rosenberg also praised the deliberative approach taken by the chief justice in appointing the Strategic Evaluation Committee and now considering its work through committees.

"There are some that just wanted to do things a year ago," Rosenberg said. "But I think the work of the SEC was very thorough and deliberate and now we can all come together with specific recommendations that we can agree upon and process."

"It's the right approach," Rosenberg said. "It's the fair approach. It's the approach that judges use."



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