

Introduced by Senator JacksonFebruary 20, 2014

An act to amend Sections 69104, 69614, and 69614.2 of, and to add Section 69614.4 to, the Government Code, relating to courts, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1190, as introduced, Jackson. Courts: judgeships.

(1) Existing law specifies the number of judges for the superior court of each county and for each division of each district of the court of appeal. Existing law provides that the Court of Appeal for the Fourth Appellate District consists of 3 divisions. Existing law requires that one of these divisions hold its regular sessions in the San Bernadino/Riverside area and further requires this division to have 7 judges.

This bill would increase the number of judges in the division of the Fourth Appellate District of the Court of Appeal located in the San Bernadino/Riverside area to 9 judges.

(2) Existing law allocates additional judgeships to the various counties in accordance with uniform standards for factually determining additional need in each county, as approved by the Judicial Council. Existing law requires the Judicial Council to report biennially to the Legislature and the Governor on the factually determined need for new judgeships in each superior court using that uniform criteria for allocation of judgeships. Existing law authorizes 50 additional judges, upon appropriation by the Legislature, to be allocated to the various county superior courts, pursuant to uniform criteria approved by the Judicial Council.

This bill would appropriate an unspecified sum from the General Fund to the judicial branch for the purpose of funding the cost of those additional judgeships described above. The bill would also authorize 50 additional judges, upon appropriation by the Legislature in the annual Budget Act of moneys expressly identified for the purpose of initially funding the costs of additional new judges, to be allocated to the various superior courts, pursuant to the uniform criteria approved by the Judicial Council.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 69104 of the Government Code is
 2 amended to read:
 3 69104. The Court of Appeal for the Fourth Appellate District
 4 consists of three divisions. One division shall hold its regular
 5 sessions at San Diego and shall have 10 judges. One division shall
 6 hold its regular sessions in the San Bernardino/Riverside area and
 7 shall have ~~seven~~ *nine* judges. One division shall hold its regular
 8 sessions in Orange County and shall have eight judges.
 9 SEC. 2. Section 69614 of the Government Code is amended
 10 to read:
 11 69614. (a) Upon appropriation by the Legislature in the
 12 2006–07 fiscal year, there shall be 50 additional judges allocated
 13 to the various superior courts pursuant to the uniform criteria
 14 described in subdivision (b) for determining the need for additional
 15 superior court judges.
 16 (b) The judges shall be allocated, in accordance with the uniform
 17 standards for factually determining additional judicial need in each
 18 county, as *updated and* approved by the Judicial Council ~~in August~~
 19 ~~2001, and as modified and approved by the Judicial Council in~~
 20 ~~August 2004~~, pursuant to the Update of Judicial Needs Study,
 21 based on the following criteria:
 22 (1) Court filings data averaged over a period of three years.
 23 (2) Workload standards that represent the average amount of
 24 time of bench and nonbench work required to resolve each case
 25 type.

1 (3) A ranking methodology that provides consideration for
2 courts that have the greatest need relative to their current
3 complement of judicial officers.

4 (c) (1) The Judicial Council shall report to the Legislature and
5 the Governor on or before November 1 of every even-numbered
6 year on the factually determined need for new judgeships in each
7 superior court using the uniform criteria for allocation of judgeships
8 described in subdivision (b), as updated and applied to the average
9 of the prior three years' filings.

10 (2) On or before November 30, 2011, the Judicial Council shall
11 provide to the Legislature a special assessment of the need for new
12 judgeships in the family law and juvenile law assignments for each
13 superior court.

14 (3) The Judicial Council shall report, beginning with the report
15 due to the Legislature on November 1, 2012, on the implementation
16 and effect of subparagraph (C) of paragraph (1) of subdivision (c)
17 of Section 69615.

18 SEC. 3. Section 69614.2 of the Government Code is amended
19 to read:

20 69614.2. Upon appropriation by the Legislature in the ~~2007-08~~
21 ~~2014-15~~ fiscal year, there shall be 50 additional judges allocated
22 to the various county superior courts, pursuant to the uniform
23 criteria described in subdivision (b) of Section 69614, as updated
24 and approved by the Judicial Council on ~~February 23, 2007~~
25 *January 17, 2013*.

26 SEC. 4. Section 69614.4 is added to the Government Code, to
27 read:

28 69614.4. Upon appropriation by the Legislature in the annual
29 Budget Act of moneys expressly identified for the purpose of this
30 section, there shall be 50 additional judges allocated to the various
31 superior courts pursuant to the uniform criteria described in
32 subdivision (b) of Section 69614, as updated and approved by the
33 Judicial Council on January 17, 2013. A judgeship shall not be
34 created pursuant to this section unless funding for that purpose is
35 provided in the annual Budget Act.

36 SEC. 5. The sum of _____ dollars (\$_____) is hereby appropriated
37 from the General Fund to the judicial branch for the purpose of

- 1 funding the cost of new judgeships and accompanying staff
- 2 pursuant to Section 69614.2.

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