

The State Bar of California
FY 2009 Committee on Administration of Justice Work Plan

BACKGROUND
Sub-entity Name: Committee on Administration of Justice
Chair: Harold P. Selan
State Bar Staff: Saul Bercovitch, Staff Attorney
Date: January 31, 2008
Sub-entity Background: The Committee on Administration of Justice (“CAJ”) is composed of up to thirty-six members appointed by the Board of Governors. It is a diverse group of attorneys concerned with aspects of civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. The charge of the committee is as follows: a. Analyze, report to the Board of Governors and comment as authorized by the Board of Governors on proposed court rules, legislation and other proposals affecting the committee's subject area. b. Draft proposals relating to its area of concern for consideration by the Board of Governors. c. Perform such other functions relevant to the committee’s subject area as the Board of Governors may from time to time assign.

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Proposed Activities	
<u>Activity 1</u>	<u>Status/Time Frame:</u>
Rules of Court – Review, analyze, and comment on Judicial Council or other rule proposals that relate to the administration of justice in the civil courts.	Ongoing, as proposals are issued for public comment (e.g., Judicial Council’s Spring, Winter, and Special Cycles). CAJ is also available to provide informal input on proposals, as may be necessary. As with other CAJ activities, this work varies by year, depending upon the number, nature, and scope of proposals and comments.

Performance Indicators
Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.

Proposed Activity Budget
Activity is ongoing throughout the year, intermingled with other CAJ activities, and not associated with a particular budgetary amount.

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Proposed Activities	
<u>Activity 2</u>	<u>Status/Time Frame:</u>
Jury Instructions – Review, analyze, and comment, to the extent of CAJ’s expertise, on proposed revisions to the civil jury instructions issued by the Judicial Council. Suggest revisions to the Judicial Council’s civil jury instructions or new instructions, as may be appropriate.	Ongoing, as proposed instructions are issued for public comment, and as suggested revisions to existing instructions may be proposed by CAJ.

Performance Indicators
Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.

Proposed Activity Budget
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Proposed Activities	
<u>Activity 3</u>	<u>Status/Time Frame:</u>
<p>Legislation – a) Review and analyze bills that relate to the civil courts; b) recommend actions or positions for the Board of Governors to take; recommend technical corrections or improvements; take positions; or provide other input, as appropriate; c) participate, in coordination with the State Bar’s Office of Governmental Affairs, in “Resource to Legislature/Administration” program; d) review, analyze and comment, as appropriate, on Judicial Council proposals that are being considered as potential legislation; e) consider and draft potential Committee-sponsored legislation for consideration by the Board of Governors for inclusion in the section and committee legislative program.</p>	<p>Throughout the legislative session, CAJ monitors and analyzes legislation, and considers potential comments. Members of CAJ are also available on an ongoing basis to provide technical expertise, as may be requested. Potential legislation of CAJ or others may be considered at various times during the year.</p>

Performance Indicators
<p>Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.</p>

Proposed Activity Budget
<p>Activity is ongoing throughout the year, intermingled with other CAJ activities, and not associated with a particular budgetary amount.</p>

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Proposed Activities	
<u>Activity 4</u>	<u>Status/Time Frame:</u>
California Law Revision Commission – Review and analyze proposals that relate to the civil courts. Take positions or provide other input, as appropriate. Provide input on issues that the Law Revision Commission is analyzing.	Formal CAJ comments are considered throughout the year, as proposals relating to CAJ’s charge are made by the CLRC. CAJ members are also available throughout the year to provide informal input in connection with matters that the CLRC is considering.

Performance Indicators
Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.

Proposed Activity Budget
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Proposed Activities	
<u>Activity 5</u>	<u>Status/Time Frame:</u>
Conference of Delegates of California Bar Associations – Review and analyze resolutions of the Conference of Delegates of California Bar Associations, and prepare reports and recommendations on those relating to the civil courts.	Formal comments are considered once per year, after resolutions of the Conference of Delegates of California Bar Associations are released for public comment. CAJ is also available throughout the year to provide additional input, as may be necessary.

Performance Indicators
Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.

Proposed Activity Budget
Activity is more concentrated in the period following the release of resolutions of the Conference of Delegates of California Bar Associations for public comment, but issues relating to those resolutions may come up throughout the year, and be intermingled with other CAJ activities. Activity is not associated with a particular budgetary amount.

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Proposed Activities	
<u>Activity 6</u>	<u>Status/Time Frame:</u>
Coordination with other State Bar entities – Coordinate with other State Bar sections and committees on issues of mutual interest. Provide expertise and input on issues that other entities are considering, to the extent those issues relate to CAJ’s charge.	Ongoing.

Performance Indicators
Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.

Proposed Activity Budget
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Proposed Activities	
<u>Activity 7</u>	<u>Status/Time Frame:</u>
<p>Other – Individual members of CAJ are available to participate on working groups established by others (e.g., the Judicial Council) that are considering issues relating to the civil courts. On occasion, individual members of the State Bar communicate with the State Bar, recommending changes in the law. To the extent these communications fall within CAJ's charge and area of expertise, they would be referred to that committee for analysis and appropriate response.</p>	<p>CAJ is available, on an ongoing basis, to provide expertise and input.</p>

Performance Indicators
<p>Continuing to provide technical expertise and input on matters relating to civil procedure, court rules and administration, rules of evidence, and other matters having an impact on the administration of justice in the civil courts. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice.</p>

Proposed Activity Budget
<p>Activity is ongoing throughout the year, intermingled with other CAJ activities, and not associated with a particular budgetary amount.</p>

How Activities Address State Bar Strategic Plan

Combined activities further the following goals:

Goal 2 – Providing a wide array of services and benefits to members that meet their professional development, business, and personal needs

- Seeks ways to improve and inform members about professional development opportunities and services.

Goal 3 – Ensuring that all people have access to high quality legal services regardless of financial or other circumstances

- Works collaboratively with the Judicial Council on issues relating to court access and services for self-represented litigants.

Goal 4 – Providing effective and supportive relationships with all stakeholders

- Develops supportive, collaborative relationships to assist all parts of the State Bar in successfully fulfilling the respective roles and responsibilities of members, member groups, and other stakeholders.
- Actively encourages and supports member participation in bench-bar efforts to improve the administration of justice and access to the legal system for low and moderate income Californians.
- Cultivates positive working relationship between the State Bar and the Legislative and Executive Branch.
- Actively informs the public, members, and key stakeholders about the effective operation and activities of the State Bar and its members and seeks input from stakeholders about the operation and activities of the Bar.
- Maintains the positive working relationship between the Supreme Court and the State Bar.

Goal 5 – Enhancing State Bar’s role as a contributing and accountable leader in improving the administration of justice and ensuring the rule of law in our civil society

- Encourages increased participation in State Bar activities and identifies opportunities to inspire diversity in leadership in all members of the bar.
- Enhances opportunities for and encourages attorney participation in state and local justice system policy setting activities, including the development, consideration, and support or opposition to rules of court and legislation affecting the practice of law.

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How Activities Address Sub-entity Charge

The activities further the charge of analyzing, reporting to the Board of Governors and commenting on proposed court rules, legislation and other proposals affecting CAJ's subject area. To the extent CAJ may be involved with affirmative proposals that reach the Board level, the activities further the charge of drafting proposals relating to CAJ's subject area for consideration by the Board of Governors.

Recommended New Strategic Initiatives For Board Consideration

Name of Initiative: CAJ will continue to focus on and enhance its core activities, but does not currently have any new strategic initiatives planned for 2009.

Purpose:

Responsible Entity:

Connection to Strategic Plan:

Desired Outcome(s):

Fiscal and Staff Implications:

Proposed Performance Measures:

Are activities within legislative and judicial restrictions imposed on the State Bar (*Keller, Hudson, Brosterhous, etc.*)?

Yes [X] No [] If no, please explain.

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PROPOSED BUDGET				
Business Unit (MCU) 16003				
(Combined Proposed Activity Budgets plus Staff Costs)				
Items	2007 Budget	2007 Outlook	2008 Budget	2009 Proposed
Estimated Staff Time Required FTE: 20% Temporary Consultant				
Travel Staff	538	139	313	313
Travel Others (e.g. Annual Meeting speakers for MCLE presentations)	0	252	189	189
Travel Volunteer	2,760	3,233	4,123	4,123
Meeting Room Rental	0	0	0	0
Catering	376	626	873	873
Stationary and office supplies	0	0	30	30
Postage	0	0	0	0
Telephone	1,753	620	934	934
Security-Guard	0	37	19	19
Copier Allocation	26	35	16	16
Delivery Services	22	0	16	16
Other Professional Services Outside Printing Outside Design In House Printing Miscellaneous	0	0	0	0
TOTAL Operating Expense	5,475	4,943	6,513	6,513