OVERVIEW

California’s state judicial system is the largest in the nation and is at the forefront nationally of judicial innovation and change. In this course, we will examine the integrity of the judicial branch as a separate and distinct branch of state government. As noted by California Supreme Court Chief Justice Ronald M. George in his 2007 State of the Judiciary Address: “Each of the three branches – although co-equal and independent – is interdependent and must rely upon the other two in order to fulfill its role in the balanced system of government ...” This course examines the way state courts govern themselves as they work with other branches and community and criminal justice partners to craft policies and programs that best meet the needs of the court customers.

To both be a fully functioning branch of government and to meet its adjudicative responsibilities, the courts have to stand ready to respond and adapt to changes. Effective court operations ensure that they can. Recent changes come from technology (e.g., case flow management, information systems), security issues (e.g., of increasing importance since 2001), public policy initiatives (e.g., both federal and state), and demographics (e.g., shifts and growth in both population and caseload).

Since the 1990s with court unification and trial court funding, the policy direction of the state courts has become increasingly centralized through by the Judicial Council. Its policies are implemented by the Administrative Office of the Courts (AOC). This course also examines not only the direction and goals of the state court system at the trial and appellate levels but also the tensions and challenges inherent in the change from local to state-wide management.
SPECIFIC LEARNING GOALS

At the end of PPA 291 it is expected that students will:

1. be able to utilize critical reasoning and analysis skills to conceptualize and understand the structure of governance in the California state judicial system and analyze its accomplishments and challenges;
2. understand the interrelationship among the three branches of state government with particular emphasis on policy initiatives and directions in the state judicial system;
3. explore the role of the Judicial Council in setting statewide policy direction for the state’s judicial system and the role of the AOC in implementing it;
4. understand the governance structure of trial and appellate courts, including the relationship between the bench officers of each court and each court’s executive office;
5. examine the relationship between the necessary components of strong court governance and operations with the Core Competencies identified by the National Association of Court Management;
5.6. analyze the specific components of key court operations, including jury management, facilities management, technology, and security; and
7. recognize significant statewide trends impacting the courts and how courts respond to those trends.

CLASS DELIVERY

This course is designed as an intensive graduate seminar. As noted above, classes will be held at the Administrative Office of the Courts, Northern Regional Center.

- The location of this class is easily accessible by car, air, train and bus. Parking at the site is free.

- The course has two meetings per month on a Friday and Saturday, each day having six hours of instruction time and is equivalent to a standard fourteen week graduate seminar meeting weekly.

- Judicial officers, court executive officers, clerk administrative officers, and subject matter experts will regularly join the seminars as guest lecturers.

CONDUCT OF THE SEMINAR

The structure of this class, its intensive format, and the nature of its topics demand full class participation by each student. Each seminar will be broken into several “mini” sessions composed of breakout exercises, guest presentations, student presentations, collaborative problem solving and group discussions.

Each student must come to class having completed all readings; the instructor will not review or recap the readings. Students must prepare in advance for weekly seminars by bringing with them their responses to critical questions in response to the readings.
provided for each seminar. The seminar is discussion based, and each student is expected to contribute to each class and present questions and/or responses to the materials. Students’ participation will be assessed, in part, by their ability to both critically analyze and incorporate into seminar discussions information from the assigned readings. Students should not generalize but be able to refer to specific authors, articles and events.

All assignments, some readings, and various information useful to judicial administration students – whether current graduate students or returning – are available on the class’s WebCT page, an educational software used by Sac State. (See https://online.csus.edu/webct/entryPageIns.dowebct.) It is each student’s responsibility to familiarize her/himself with WebCT. In addition, students can use WebCT for electronic discussions among themselves. (Discussions will not be monitored by the instructor.) Further, students can easily send e-mails to all enrolled in the class through the class WebCT page. The class WebCT page also contains an array of links to sites, organizations, and materials useful to the graduate level study of judicial administration.

**READINGS**

**Required:**

Aikman, Alexander B. (2007), *The Art and Practice of Court Administration*
Carver, John (2002), *Corporate Boards that Create Value: Governing Company Performance From the Boardroom*
Hacker, Diane, *A Pocket Style Manual or Writer’s Reference* (strongly recommended)
Tobin, Robert W. (1993), *Creating the Judicial Branch: The Unfinished Reform*

**ASSIGNMENTS AND GRADING**

**Assignments:** All assignments will be posted on WebCT. Note: Those due 9/12/08 are available on WebCT by August 11.

**Papers:** The schedule of paper assignments is listed below under Grades.

**Presentations:** Every seminar will include breakout sessions where, in groups of 3-5, each group is given a problem to solve. One person from the group will serve as group leader and manager and will present the group’s solution to the class and answer questions from the class and the instructor. Each presenter is graded upon the group’s final solution, the individual presenter’s presentation, and responses to questions posed by instructor and students.

**Participation:** Students’ participation grade will be based on their contributions to the group work, class discussions, and Q&A sessions with guest speakers.

**Attendance:** Attendance is mandatory. Inform instructor prior to class if you must miss a class on a specific day. Except under unusual circumstances, for each two full
classes missed, a student will be penalized one entire grade (e.g., a B+ for the course will become a C+).

**Grades:** Course grades will be determined in accordance with the following weights:

**Presentations:**
- Pre-assigned (9/12-13/08) 25 points
- In-class 75 points
- Pre-assigned (12/5-6/08) 50 points

**Papers:**
- due 9/12/08 50 points
- due 10/10/08 100 points
- due 11/7/08 100 points
- due 12/5/08 100 points
- final paper due 12/16/08 75 points

**Questions for 12/5-6/08 speakers** 25 points

**Class participation (engagement in in-class discussions, break-out group work, etc.)** 400 points

**Total:** 1000 points

**Grading scale for course grade:**

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<tr>
<th>Grade</th>
<th>Points</th>
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<tbody>
<tr>
<td>A</td>
<td>970-1000</td>
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<tr>
<td>A-</td>
<td>900-969</td>
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<tr>
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<td>C</td>
<td>730-769</td>
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<td>C-</td>
<td>700-729</td>
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**Academic Honesty:** Academic dishonesty will not be tolerated in this seminar. *Students who plagiarize in this class will receive an F for the class and will be referred to Sac State’s Office of Student Conduct.* NOTE: It is each student’s responsibility to ensure s/he understands what plagiarism is and does not plagiarize or cheat. For definitions and examples of what constitutes plagiarism and academic dishonesty, go to [http://library.csus.edu/content2.asp?pageID=353](http://library.csus.edu/content2.asp?pageID=353). If you have any questions, please feel free to discuss them with the instructor.

**Late Assignment/Makeup:** Late assignments will not be accepted. At instructor’s discretion, a student who misses a deadline may be given a make-up assignment. Whether or not a penalty will be assessed depends on the reason (e.g., a family emergency or serious illness constitutes a good reason).
SEMIMAR SCHEDULE

September 12-13, 2008
From 1850 to 2009: Evolution of an Independent Judiciary in California

This section explores the development of the judiciary and its changes in response to demographic, technological, and economic shifts as California moves from statehood to the post-modern era. To a limited extent, California’s development will be put in the context of the broader national experience.

Guest speaker: Mr. Ken Torre, Director, Judicial Administration Program

Assigned Reading:
Aikman: chs. 1-2
Tobin: all (see WebCT for assignment)
Coursepack: Section I: September
Other Readings: Posted on WebCT

Reading Questions: Posted on WebCT
Presentation Assignment: Posted on WebCT
Assignment due (at beginning of first class, September 12): Posted on WebCT.

October 10-11, 2008
The Adjudicative Piece

This section explores the relationship between and among the bench officers and court administrators in governance and court operations. As an associated topic, jury management will be reviewed and discussed.

Guest speakers: Ms. Sherry Dorfman, SCD Consulting
Mr. Frederick K. Ohlrich, Clerk/Administrator, Supreme Court of CA

Assigned Reading:
Aikman: ch. 6-8
Carver: pp. xiii-122
Coursepack: Section II: October
Other Readings: Posted on WebCT
Reading Questions: Posted on WebCT
Assignment due (at beginning of class, October 12): Posted on WebCT
November 7-8, 2008
Strategic Planning

This section explores COOP (continuity of operations plan), pandemic planning, court security and strategic planning in the judicial branch and by the courts.

Guest Speaker: Mr. Malcolm Franklin, Senior Manager, Emergency Response & Security, Administrative Office of the Courts

Assigned Reading:
Aikman: chs. 9-10
Coursepack: Section III: November
Other Readings: Posted on WebCt

Reading Questions: Posted on WebCT
Assignment due (at beginning of class, November 9): Posted on WebCT

December 5-6, 2008
Governing and Administering the Court of the Future

This section addresses issues necessary for managing the ever-changing court environment through the next decade. Using the 10 key trends identified by the NCSC that critically impact state courts, we will explore the ways in which court operations must evolve and adapt to meet the challenges of providing access and fairness in the new California. This class will also examine the 10 core competencies identified by NACM for court administration. In addition, we will learn about the California Case Management System, the statewide-integrated system owned by the courts that by the end of 2010 will integrate traffic, civil, small claims, probate, mental health, family law, juvenile and criminal case management information.

Guest Speakers: Hon. James Mize, Presiding Judge, Sacramento County Superior Court
Mr. Dennis Jones, CEO, Sacramento Superior Court

Read:
Aikman: chs. 3, 5, 11-14
Coursepack: Section IV: December
Other Readings: Posted on WebCt

Reading Questions: Posted on WebCT.
Presentation Assignment: Posted on WebCT

December 16, 2008
Final examination

The final assignment will be available on WebCT on December 8, by 9 p.m. It is due electronically to instructor by 5 p.m., Saturday, December 16.