



# Judicial Council of California

520 Capitol Mall, Suite 600 · Sacramento, California 95814-4717

Telephone 916-323-3121 · Fax 916-323-4347

PATRICIA GUERRERO

*Chief Justice of California  
Chair of the Judicial Council*

MILLCENT TIDWELL

*Acting Administrative Director*

September 29, 2023

Hon. Gavin Newsom  
Governor of California  
1021 O Street, Suite 9000  
Sacramento, California 95814

Subject: Senate Bill 75 (Roth)—Request for Signature

Dear Governor Newsom:

The Judicial Council respectfully requests your signature on Senate Bill 75, a council-sponsored bill, that authorizes 26 new judgeships, subject to appropriation, to be allocated to courts with the greatest need in accordance with Government Code section 69614(b), also known as the [Judicial Needs Assessment](#). Based on this methodology, California currently needs 98 new judicial officers, as shown in table 2 of the report.

The council recognizes your leadership last session in providing full funding for the set of 50 authorized but previously unfunded judgeships and appreciates the prompt action you have taken to appoint judges to these critical positions.

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963.<sup>1</sup> In 2001, in consultation with the National Center for State Courts, the Judicial Council completed the California Judicial Needs Assessment Project and developed uniform criteria for determining judicial needs in California and how judgeships are allocated to the courts.

Section 69614(c) of the Government Code requires the Judicial Council to report to the Legislature and Governor in every even-numbered year on the factually determined need for new judgeships in each superior court based on three criteria: the average case filings data over the previous three years, workload standards that represent the average amount of time required to

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<sup>1</sup> Harry O. Lawson and Barbara J. Gletne, *Workload Measures in the Court* (National Center for State Courts, 1980).

Hon. Gavin Newsom

September 29, 2023

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resolve each case type, and a ranking methodology that provides consideration for courts with the greatest need.

As a result of this work, the council has sponsored more than a dozen pieces of legislation over the last several years seeking authorization and funding for much needed new judgeships throughout the state, to be allocated according to the factually determined need set forth in the biannual Judicial Needs Study.<sup>2</sup> Seeking an adequate number of judgeships and judicial officers in counties with the greatest need remains a legislative priority in 2023.

For these reasons, the Judicial Council supports SB 75 and requests your signature. Should you have any questions or require additional information, please contact Morgan Lardizabal at 916-323-3121.

Sincerely,



Cory T. Jaspersen

Director, Governmental Affairs

CTJ/ML/lmm

Attachment

cc: Hon. Richard D. Roth, Member of the Senate, 31<sup>st</sup> District  
Ms. Jessica Devencenzi, Deputy Legislative Secretary, Office of the Governor  
Ms. Millicent Tidwell, Acting Administrative Director, Judicial Council of California  
Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California

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<sup>2</sup> See attached chart of Judicial Council–Sponsored Legislation to Authorize or Fund Additional Judgeships.

## Judicial Council–Sponsored Legislation to Authorize or Fund Additional Judgeships

YEAR	BILL NO.	AUTHOR	PURPOSE	RESULT
2008	SB 1150	CORBETT	AUTHORIZE THIRD SET OF NEW JUDGESHIPS	HELD IN SENATE APPROPRIATIONS COMMITTEE
2009	SB 377	CORBETT	AUTHORIZE THIRD SET OF NEW JUDGESHIPS	HELD IN SENATE APPROPRIATIONS COMMITTEE
2011, 2012	AB 1405	COMMITTEE ON JUDICIARY	AUTHORIZE THIRD SET OF NEW JUDGESHIPS	DID NOT MOVE FORWARD
2014	SB 1190	JACKSON	AUTHORIZE THIRD SET OF NEW JUDGESHIPS*	HELD IN SENATE APPROPRIATIONS COMMITTEE
2015	SB 229	ROTH	FUND 12 OF 50 PREVIOUSLY AUTHORIZED JUDGESHIPS†	VETOED BY GOVERNOR BROWN
2016	SB 1023	COMMITTEE ON JUDICIARY	FUND 12 OF 50 PREVIOUSLY AUTHORIZED JUDGESHIPS†	HELD IN SENATE APPROPRIATIONS COMMITTEE
2016	AB 2341	OBERNOLTE	REALLOCATE JUDGESHIPS‡	HELD IN SENATE APPROPRIATIONS COMMITTEE
2017	SB 38	ROTH	AUTHORIZE JUDGESHIPS	HELD IN ASSEMBLY APPROPRIATIONS COMMITTEE
2017	SB 39	ROTH	REALLOCATE JUDGESHIPS	HELD IN SENATE APPROPRIATIONS COMMITTEE
2017	AB 414	MEDINA	REALLOCATE JUDGESHIPS	DID NOT MOVE FORWARD
2019	SB 16	ROTH	FUND 25 OF 50 PREVIOUSLY AUTHORIZED JUDGESHIPS**	HELD IN SENATE APPROPRIATIONS COMMITTEE
2023	SB 75	ROTH	AUTHORIZE 26 ADDITIONAL JUDGESHIPS SUBJECT TO APPROPRIATION	TBD

\* **SB 1190** ALSO SOUGHT TO SECURE FUNDING FOR THE SECOND SET OF **50** NEW JUDGESHIPS APPROVED IN **2007** BUT NOT YET FUNDED.

† **SB 229** SOUGHT TO APPROPRIATE **\$5** MILLION FOR THE FUNDING.

‡ SPECIFICALLY, **AB 2341** SOUGHT TO REALLOCATE UP TO FIVE VACANT JUDGESHIPS FROM COURTS WITH MORE AUTHORIZED JUDGESHIPS THAN THEIR ASSESSED JUDICIAL NEED TO COURTS WITH FEWER JUDGESHIPS THAN THEIR ASSESSED JUDICIAL NEED. THE ALLOCATION OF THE VACANT JUDGESHIPS WOULD BE BASED ON A METHODOLOGY APPROVED BY THE JUDICIAL COUNCIL AND UNDER CRITERIA CONTAINED IN GOVERNMENT CODE SECTION **69614(b)**.

\*\* ALTHOUGH **SB 16** WAS HELD IN THE SENATE APPROPRIATIONS COMMITTEE, THAT SAME YEAR THE BUDGET ACT OF **2019** (ASSEM. BILL 74; STATS. 2019, CH. 23) PROVIDED **\$30.4** MILLION IN FUNDING FOR **25** JUDGESHIPS, LEAVING UNFUNDED THE REMAINING **23** OF THE **50** JUDGESHIPS AUTHORIZED IN **2007** (ASSEM. BILL 159 [JONES]; STATS. 2007, CH. 722).

### Additional Judgeships Authorized and Funded in the Budget Act

YEAR	BILL NO.	AUTHOR	PURPOSE	RESULT
2017	AB 103	COMMITTEE ON BUDGET	REALLOCATE VACANT JUDGESHIPS (2 EACH FROM ALAMEDA AND SANTA CLARA COUNTIES) TO RIVERSIDE AND SAN BERNARDINO COUNTIES	SIGNED BY THE GOVERNOR (STATS. 2017, CH. 17)
2018	SB 847	COMMITTEE ON BUDGET & FISCAL REVIEW	BUDGET TRAILER BILL: ADDED 2 NEW JUDGESHIPS TO THE SUPERIOR COURT OF RIVERSIDE COUNTY, ADDED 1 NEW JUSTICE TO THE FOURTH APPELLATE DISTRICT, DIV. 2 (RIVERSIDE/SAN BERNARDINO)	SIGNED BY THE GOVERNOR (STATS. 2018, CH. 45)
2018	SB 840	COMMITTEE ON BUDGET & FISCAL REVIEW	BUDGET ACT OF 2018, APPROPRIATED \$2.9 MILLION FOR 2 NEW JUDGESHIPS IN THE SUPERIOR COURT OF RIVERSIDE COUNTY, APPROPRIATED \$1.2 MILLION FOR THE NEW JUSTICE AND STAFF IN THE FOURTH APPELLATE DISTRICT AUTHORIZED IN THE BUDGET TRAILER BILL (SB 847)	SIGNED BY THE GOVERNOR (STATS. 2018, CH. 29)
2019	AB 74	TING	BUDGET ACT OF 2019, APPROPRIATED \$30.4 MILLION FOR 25 PREVIOUSLY UNFUNDED JUDGESHIPS	SIGNED BY THE GOVERNOR (STATS. 2019, CH. 23)
2022	SB 154	SKINNER	BUDGET ACT OF 2022, APPROPRIATED \$39.1 MILLION FOR THE REMAINING 23 PREVIOUSLY UNFUNDED JUDGESHIPS*	SIGNED BY THE GOVERNOR (STATS. 2022, CH. 43)

\* THIS ACTION FULLY FUNDS THE LAST REMAINING UNFUNDED JUDGESHIPS FROM THE SECOND SET OF 50 NEW JUDGESHIPS (ASSEM. BILL 159 [JONES]; STATS. 2007, CH. 722).



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PATRICIA GUERRERO

*Chief Justice of California  
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MILLCENT TIDWELL

*Acting Administrative Director*

March 14, 2023

Hon. Thomas J. Umberg, Chair  
Senate Judiciary Committee  
1021 O Street, Suite 6530  
Sacramento, California 95814

Subject: Senate Bill 75 (Roth), as amended March 7, 2023—Support, if amended.

Hearing: Senate Judiciary Committee—March 28, 2023

Dear Senator Umberg:

The Judicial Council has adopted a support, if amended position on Senate Bill (SB) 75, which authorizes 26 new judgeships, subject to appropriation, to be allocated in accordance with Government Code section 69614(b), also known as the [Judicial Needs Assessment](#).

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963.<sup>1</sup> In 2001, in consultation with the National Center for State Courts, the Judicial Council completed the California Judicial Needs Assessment Project and developed uniform criteria for determining judicial needs in California and how judgeships are allocated to the courts.

Section 69614(c) of the Government Code requires the Judicial Council to report to the Legislature and Governor in every even-numbered year on the factually determined need for new judgeships in each superior court based on three criteria: the average case filings data over the previous three years, workload standards that represent the average amount of time required to resolve each case type, and a ranking methodology that provides consideration for courts with the greatest need.

As a result of this work, the council has sponsored more than a dozen pieces of legislation over the last several years seeking authorization and funding for much needed new judgeships throughout the state, to be allocated according to the factually determined need set forth in the biannual Judicial Needs Study. Seeking an adequate number of judgeships and judicial officers in counties with the greatest need remains a legislative priority in 2023.

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<sup>1</sup> Harry O. Lawson and Barbara J. Gletne, *Workload Measures in the Court* (National Center for State Courts, 1980).

March 14, 2023

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The council, however, takes issue with the specific inclusion of Riverside and San Bernardino counties within the statutory language and has requested amendments to remove these specific references. It is important to note that due to the critical shortage of judgeships in Riverside and San Bernardino counties, more than 40 percent of the 26 proposed new judgeships would be allocated to these counties (five to Riverside and six to San Bernardino). The allocation order of new judgeships is contained in Table 2A of the 2022 Judicial Needs Assessment. The concern is that by requiring judgeships within specific counties, a precedent could be set for future legislation to create allocation carve-outs in statute which may go against the factually determined judicial need. Ironically, specifying judgeships in specific counties named directly in statute is a contributing factor to the current shortfall in many areas around the state. A significant feature of the legislation creating the first set of 50 new judgeships in 2006<sup>2</sup> as well as the second set of 50 new judgeships in 2007<sup>3</sup> (although not fully funded until last year in 2022) is that this important legislation broke from the past practice of specifying the counties directly in statute and instead required that the new judgeships be allocated to counties with the greatest need based on the Judicial Needs Assessment.

Ensuring equitable allocations of judgeships based on factually determined need is a priority of the council.

For these reasons, the Judicial Council's position on SB 75 is support, if amended to remove the statutory reference to Riverside and San Bernadino counties.

Should you have any questions or require additional information, please contact Morgan Lardizabal at 916-323-3121.

Sincerely,



Cory T. Jaspersen

Director, Governmental Affairs

CTJ/ML/Imm

cc: Members, Senate Judiciary Committee

Hon. Richard D. Roth, Member of the Senate

Ms. Amanda Mattson, Counsel, Senate Judiciary Committee

Mr. Morgan Branch, Consultant, Senate Republican Office of Policy

Ms. Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Millicent Tidwell, Acting Administrative Director, Judicial Council of California

Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California

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<sup>2</sup> SB 56 Dunn, ch. 390, stats. 2006

<sup>3</sup> AB 159 Jones, ch. 722, stats. 2007



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March 21, 2023

Hon. Thomas J. Umberg, Chair  
Senate Judiciary Committee  
1021 O Street, Suite 6530  
Sacramento, California 95814

Subject: Senate Bill 75 (Roth), as amended March 20, 2023—Support/Sponsor  
Hearing: Senate Judiciary Committee—March 28, 2023

Dear Senator Umberg:

The Judicial Council is pleased to support and sponsor Senate Bill (SB) 75, which authorizes 26 new judgeships, subject to appropriation, to be allocated in accordance with Government Code section 69614(b), also known as the Judicial Needs Assessment.

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963. In 2001, in consultation with the National Center for State Courts, the Judicial Council completed the California Judicial Needs Assessment Project and developed uniform criteria for determining judicial needs in California and how judgeships are allocated to the courts.

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As a result of this work, the council has sponsored more than a dozen pieces of legislation over the last several years seeking authorization and funding for much needed new judgeships throughout the state, to be allocated according to the factually determined need set forth in the biannual Judicial Needs Study. Seeking an adequate number of judgeships and judicial officers in counties with the greatest need remains a legislative priority in 2023 and the Judicial Council is pleased to support and sponsor SB 75.

March 21, 2023

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Should you have any questions or require additional information, please contact Morgan Lardizabal at 916-323-3121.

Sincerely,



Cory T. Jaspersen

Director, Governmental Affairs

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cc: Members, Senate Judiciary Committee

Hon. Richard D. Roth, Member of the Senate

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