



2007-2008

BIENNIAL REPORT

Justice Moving Forward: A Time for Change

**Superior Court of California
County of Fresno**

Message from the Presiding Judge HONORABLE HILARY A. CHITTICK



On behalf of the judges and staff of the Superior Court of California, County of Fresno, I am pleased to present the 2007-2008 biennial report.

With an average of 270,000 new case filings per year, this court continues its reputation as one of the ten busiest trial courts in the state. To meet the growing demand for justice during the past two years, the court has embarked upon an unprecedented number of changes. These have resulted in greater access, improved efficiency, and enhanced services to those who use and/or work in the court. The historical changes were a result of careful analysis, legislative action, strategic planning

and hard work. Some of the changes include the addition of new judgeships and court facilities, which would not have been possible but for the leadership and strong advocacy of the judicial branch.

Our efforts to respond better to the issues presented in our court continue. We recognize that the court must meet the ever changing needs and expectations of the community. In order to do so we rely upon the invaluable input of community leaders and justice partners who commit their time, talent and expertise toward examining the court system. Their points of view are invaluable as we meet the needs of today and look to the future. They speak for the people who use the courts every day, the people for whom our state constitution guarantees the fair, efficient and equal administration of justice. In April 2008, the Court hosted a court-community forum where more than 200 people attended and were given an opportunity to share with the court areas in which we are doing well and where improvement is needed.

We are proud of the accomplishments described in these pages: reorganization of the felony calendar case management, expansion of specialty courts, enhanced outreach to the community, safer and more convenient court facilities, and more help for people who can't afford a lawyer. Much of this was achieved not through additional expenditures, but through innovative ideas, better use of existing resources and through the sheer dedication of our judges, staff and community partners. Our ongoing mission is to make justice in Fresno County more accessible, affordable and understandable for all those who use the courts.

We will take that same commitment into the next biennium.

Sincerely,


Hilary A. Chittick
Presiding Judge

Message from the Court Executive Officer TAMARA L. BEARD

Fresno Superior Court has long been a forward-thinking court ever mindful that the demographics, social conditions, the fiscal climate and the needs of the community are rarely static. This means that the court must be flexible, resourceful, and willing to make necessary changes in the way we operate while remaining steadfast in our commitment to providing the highest quality of service to the public, judges, and others.



In 2007 and 2008, the court continued its tradition of thinking ahead and through careful planning, hard work and dedication had an opportunity to inspire, celebrate and engage the community. For example, the court partnered with local agencies to host an access to higher education event in which 164 teens in foster care were provided with post-secondary resources and information. This all day affair included inspirational speakers that engaged youth through personal stories of how they used education to overcome delinquency and homelessness.

Over the past two years, the court celebrated new beginnings and past accomplishments. Thanks to the hard work of our staff and justice partners, in 2007 the Court received the Ralph N. Kleps Award for innovation and contributions to the administration of justice. The award, presented by the Judicial Council, recognized the efforts and impact of the ACTION Center. The celebration continued in 2008 with the opening of the “M” Street Civil Courthouse and the opening of the first secured “Victim and Special Witness Waiting Room.”

While the court celebrated many accomplishments, the economic uncertainty of the country, state and county is challenging. Fortunately, our court has continually been fiscally prudent. We have combed through our budget and have asked staff for one-time and ongoing cost-cutting suggestions, many of which have been implemented. While we continue to grapple with the full impact of the economic downturn, I want to thank the judges and staff for their tireless efforts and ongoing support during these stressful times. Our commitment to public service and to the highest ideals of the administration of justice remains undiminished.

This biennial report outlines some of our accomplishments over the past two years. I am extremely proud of our dedicated employees and am honored to serve as the Court Executive Officer.

Sincerely,

A handwritten signature in black ink that reads "Tamara L. Beard". The signature is fluid and cursive, written over a light blue horizontal line.

Tamara L. Beard
Court Executive Officer

Building for Today and the Future

In 2002, California enacted landmark legislation that paved the way for urgently needed improvements to the state's court facility system. The Trial Court Facilities Act shifted governance of Court facilities from counties to the Judicial Council of California.

As the primary point of contact between the public and the judicial branch, court facilities play a central role in access to, and delivery of, justice. As such, the Judicial Branch evaluated the conditions of courthouses throughout the state and found Fresno Superior Court facilities in need of substantial improvement to ensure the safety and security of court users, greater efficiency, and equal access for all. As a result, in the last two years the Fresno Superior Court has embarked upon several major capital projects including new construction, major renovation, and interior remodeling. Summarized on the following

pages are some of the capital improvements the Court and State has initiated and/or completed in the last two years.



Interior of civil courtroom

Renovation of the B.F. Sisk Federal Courthouse

Though the court has multiple facilities serving downtown Fresno, there are fewer courtrooms than full-time judicial officers. The facilities themselves do not adequately serve the growing needs of the court and their dispersed locations pose operational challenges.

The B. F. Sisk Federal Courthouse will help to ease this shortfall. In 2007, the federal government conveyed title of this facility for \$1 to the State of California for use as a Superior Court.

Upon completion in 2010, the 192,000-gross-square-foot facility will include 15 courtrooms and support space for the civil, family law and probate courts including self-help and mediation services.



From banquet hall to civil courthouse!

“M” Street Civil Courthouse

Having outgrown the downtown courthouse, the Court leased and renovated a nearby banquet hall to serve as the Civil Courthouse. The facility began operating in March 2008. Supreme Court Justice Marvin Baxter honored the Court by delivering the keynote address at a formal grand opening ceremony held one month later.

The 26,035 square foot facility has five courtrooms, a jury assembly room, a clerk's office and space for mediation services. It features enhanced technology previously unavailable at any Fresno Superior Court facility such as free wireless internet. Other high-tech improvements include computer terminals at the counsel tables, digital projectors, retractable screens, and document readers to enhance evidence presentation in court.

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Building for Today and the Future



Special waiting area for victims and witness

Victim/Witness Waiting Room

In September 2008, the Court opened its first secured waiting area for victims and special witnesses. Comfortable seating, a table and chairs, desk, and movies offer a calm and pleasant environment for crime victims and witnesses, or for individuals who fear domestic violence or elder abuse, to wait for their court proceedings.

Juvenile Delinquency Court

Although this building did not open during the period covered in this report, the time-consuming process of contract negotiations on joint payment, occupancy, and usage occurred between the county, AOC, and the Court.

When it opens in 2009, the new juvenile delinquency courthouse will complete the Juvenile Justice Campus (JJC). Located five miles south of the City of Fresno, the JJC centralizes courtrooms, classrooms, counseling services, probation services, and detention to enhance juvenile justice services in Fresno County.

The delinquency courthouse will share approximately 112,400 square feet with other county justice agencies. The building's design includes four courtrooms, with the capacity to add two more at a later date. Though jury trials are currently not permitted in delinquency proceedings,



Groundbreaking of the Juvenile Delinquency Court

one courtroom is equipped with a jury box for future flexibility.

In addition to the state-of-the-art technology and a youth-inspired design, the facility is unique in another way. The Administrative Office of the Courts, the County of Fresno, and Fresno Superior Court share the project cost with funding from county-issued lease revenue bonds. This is the second court facility in the state to enter into such a cost-sharing agreement.

Main Courthouse Improvements



A better courtroom for better service.

Following completion of the "M" Street Civil Courthouse and the subsequent transfer of civil operations to this new facility, the Court embarked upon infrastructure improvements within the main Courthouse. This includes remodeling of the second and fourth floors to expand office space for the Felony Clerk's Office, Accounting Division, and Court Technology Division. Other improvements include new carpeting, interior paint, and improved, user-friendly signage throughout most of the building. In late 2008, the Court Executive Committee approved modernizing the two security elevators. The project, expected to be completed in the spring 2009, will ease the strain on the public elevators.

DMV Window Closes

Court windows were implemented at DMV offices in July 1999 to enable motorists to clear citations without having to go to the Courthouse. Due to space limitations at the DMV offices, it became unfeasible to continue to provide services at these remote facilities. Therefore, all Court windows at DMV were closed in March 2007.

Making History

New Judgeships

In the past two years, an unprecedented number of judicial officers joined the court to fill vacancies created by retirements or newly created positions.

According to an updated judicial workload study conducted by the National Center for State Court in conjunction with the California Administrative Office of the Courts, Fresno should have 76.8 judicial officers, in contrast to the current number of 49. On September 22, 2006, Governor Arnold Schwarzenegger signed Senate Bill 56 (Dunn), which created 50 new judgeships in California trial courts. Of that number, the Judicial Council recommended that Fresno receive four of the new judicial positions.

Funding was authorized and became effective in June 2007. One month later, the Governor appointed the Honorables Brian Arax, Kristi Culver Kapetan, and Alvin M. Harrell, III to fill three of the of the four new positions. The fourth position was filled in June 2008 when the Honorable Kimberly Gaab was appointed to the Fresno bench.

Also in 2007, the Honorable Kimberly Nystrom-Geist replaced Judge R.L. "Chip" Putnam upon his retirement. The Honorable Glenda Allen-Hill filled the vacancy created when Judge Gary Austin became a federal magistrate in the U.S. District Court, Eastern District of California.

On October 15, 2007, Governor Schwarzenegger signed Assembly Bill 159 (Jones) which created a second set of 50 new state judicial appointments. This legislation also allowed for the immediate statewide conversion of 16 subordinate judicial officers into full judgeships upon vacancy until the maximum number is reached. The Judicial Council recommended converting three of Fresno's commissioner positions into judgeships upon vacancy.

The court converted one commissioner position into a judgeship in 2008, however, the position remained vacant by year's end.



Honorable Brian Arax



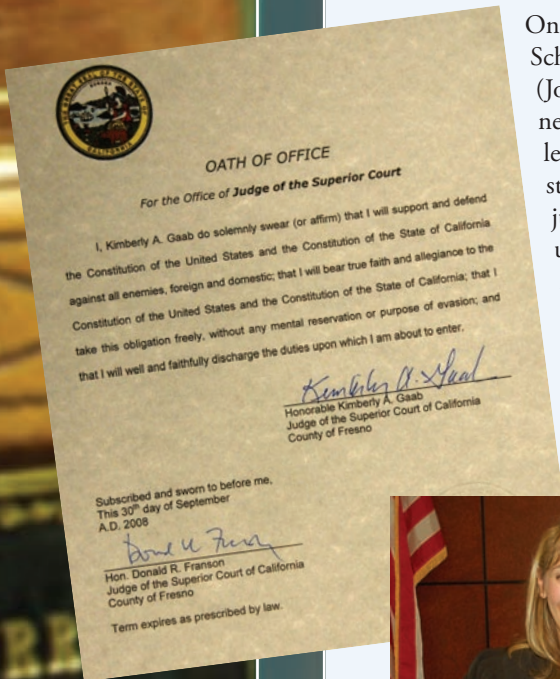
Honorable Alvin L. Harrell & Kristi Culver Kapetan



Honorable Kimberly Nystrom-Geist



Honorable Glenda Allen-Hill



Honorable Kimberly A. Gaab

Setting the Course for Improvement in the Court

After nearly two years of evaluating, planning, and analyzing the processing of felony cases, in February 2007 the Fresno Superior Court implemented the pre-trial direct calendaring of felony cases in five courtrooms. The goal of this reorganization was to revise the pretrial felony case flow process in order to decrease the number of hearings and reduce the time to resolve cases. This was a significant change. Previously, as cases matured they would be moved into different courtrooms under the jurisdiction of other judicial officers. These moves would often result in additional hearings and delays.

The new system devotes resources to the earliest stages of felony cases so they are disposed as early in the process as possible, if appropriate. It also ensures that, barring unusual circumstance, defendants receive the best plea and sentence offers at or near the commencement of the cases and not as they mature. It also reduces the number of hearings and continuances at all stages of the process, and sends only those cases that will actually use the felony processing to the next stage. In summary, the justice partners in Fresno County adopted a new overall strategic approach to felony case processing. It was so successful that a sixth felony Court was added in April 2008.

Collaborative Courts

Collaborative Courts are specialized programs that combine monitored rehabilitation services with strict oversight and accountability. These specialized dockets save money, increase public safety, and reduce recidivism by providing viable alternatives to incarceration. In addition to juvenile and adult drug courts, in the past two years the Fresno County justice partners have expanded the use of problem-solving courts. These special dockets use a collaborative, non-adversarial approach to address the underlying causes of criminal behavior such as mental illness or homelessness.

The Adult Behavioral Health

This specialty Court was implemented in July 2008. It is designed to adjudicate defendants with serious mental illness who have committed non-violent offenses. The new court was the outcome of nearly a

year of planning and collaboration between the Fresno Superior Court, Office of the Public Defender, Office of the District Attorney, Sheriff's Department, Jail Psychiatric Services, Department of Behavioral Health, the Probation Department and community treatment providers. The aim of this program is to make the community safer, reduce incarceration, produce a better quality of life for mentally ill defendants, and reduce recidivism. Behavioral Health Court is a voluntary, post-conviction program with the defendant placed in the program as a term and condition of probation. Services provided through this program include a mental health assessment, mental health and substance abuse treatment, individual therapy, medication monitoring, intensive probation supervision, and linkages to supported employment, medical, housing and family services.

DUI Court

In June 2007, the court implemented a pilot program for repeat DUI offenders. This specialized docket is funded through the California Department of Motor Vehicles and includes a research component. Offenders who have one or two prior DUI convictions are eligible on a voluntary basis for the program. Those who volunteer to participate are randomly assigned to one of three program tracks. The first track is the control group and those assigned to this group are placed on probation with standard terms and conditions. Those assigned to the "Basic DUI Court" receive all current conditions as well as intensive probation services and frequent judicial reviews. The "Enhanced DUI Group" includes all services and conditions of the Basic DUI Court but it also evaluates offenders to determine if they are fit to take Naltrexone, a medication used to manage alcohol dependence. If prescribed, the court orders offenders to take the medicine. A primary goal of the DUI Court is to assist offenders in gaining the understanding and skills necessary to prevent repeated drunk driving.

Collaborative justice courts, focusing on less serious drug offenses, mental health, domestic violence, and juvenile matters, have been remarkably successful at turning around lives ... They change the offender for the better.

Chief Justice Ronald George



Reaching Out to the Community

The Fresno Superior Court places a high priority in community outreach and education as a way to increase the public's understanding of, and trust in, the court and judicial branch. In addition, the court is committed to providing meaningful access to justice for all and is keenly aware that doing so requires meeting the changing needs and expectations of the community.

To support these priorities, during the past two years the Court engaged in the following significant outreach efforts.



Over 40 organizations participated in the Community Services Fair.

Community Forum

On April 3, 2008, the Court hosted a Court-Community Forum in which 215 people, representing 95 different agencies, participated. Those in attendance included community leaders (both cultural and religious), service providers, attorneys, law enforcement representatives, court employees, and other concerned constituents. The purpose of the event was to connect with and build a partnership between the Court and its many constituents.

The event combined information sharing, a community services fair, and a participant workshop to generate useful feedback as to what the court does well and what specific changes might benefit court users. The event was a success as reflected in these participant comments:

The community forum was an amazing and impressive event. The energy and commitment of all present was inspiring.

Claudia Ortega, AOC

This was a great event; I was unaware of the number of programs the Court has to assist our community.

Attorney

Access to Higher Education

The Honorable Jane Cardoza and a number of court staff participated in the steering committee for the Access to Higher Education event. The event was held on October 11, 2008, and linked

164 teens in the Fresno County Foster care system with post-secondary resources and information. Workshops provided age-appropriate and easy-to-use materials on high school graduation requirements, academic degree programs, vocational training opportunities, and financial aid. Keynote speaker Carissa Phelps engaged the youth with her story of how she used education to overcome juvenile delinquency and homelessness to become a lawyer and community advocate.

Using grant funds, each teen also received a backpack and document organizer to support their academic activities and were entered into a drawing to win prizes, which included a laptop, tickets to amusement parks, and certificates to various stores and restaurants.

Real DUI Court in Schools

Studies show that teens are at much greater risk of being involved in a DUI-related motor vehicle crash than older drivers and are much more likely to run red lights, speed, make illegal turns, and not wear seatbelts. Efforts to decrease the number of adolescents involved in DUI incidents, such as anti-drunk driving campaigns, have been initiated over the years, yet growing evidence indicates that such campaigns alone are not sufficient.

Live DUI Court proceedings represent a promising and effective approach in reducing teen drunk driving. Witnessing the legal and personal consequences of young adult DUI offenders makes this issue more tangible for teens. Given the above, in 2008 the Court partnered with the Fresno Police Department to implement the "Real DUI Courts in Schools" grant funded program at Clovis West, Duncan, Sunnyside, McLane and Firebaugh High Schools. The students were provided an opportunity to see firsthand the consequences of DUIs to individual drivers, crash victims, and local communities. Through mock sentencing, the program emphasized to students the short- and long-term consequences of driving under the influence. In addition, at the conclusion of the sentencing portion, the judicial officer addressed the students directly, answered questions and further highlighted the consequences of driving under the influence.



Mock crash scene involving DUI driver

Recognizing Excellence

Ralph N. Kleps Award



Every two years, the Judicial Council of California gives the Ralph N. Kleps Award for Improvement in the Administration of the Courts to innovative, replicable Court programs. In 2007, the Court received the Kleps award for the ACTION (After

Criminal Traffic Infraction One-Stop Network) Center. This is the third time the Court has received this award (previously the Court received the award for the Spanish Self-Help Program and the Keep Kids in School Project).

The ACTION Center provides one-on-one assistance for misdemeanor and traffic offenders following a court conviction. Oftentimes offenders leave court confused and unsure where to go for assistance. At the ACTION Center they are able to ask questions, receive referrals, make direct appointments, set-up payment plans and make payments. The offender leaves the Center with the knowledge and information necessary to comply with the Court orders.

Awards and Recognition

Central California Legal Services annually recognizes individuals and/or organizations as "Champions of Justice." The honorees must demonstrate faithful dedication and remarkable achievement in ensuring that all persons have equal and meaningful access to justice. On October 2, 2008, the Honorable Denise Whitehead was recognized as a Champion of Justice for her leadership in implementing the Juvenile Behavioral Health Court. The behavioral health court offers hope for youth who previously were caught in the juvenile justice system due to their untreated mental illnesses. Also recognized as a Champion of Justice was Director of Court Operations, Patty Wallace for her efforts in bringing multilingual self-help court services to the community.

The California Judges Association is a professional organization representing the interests of the judiciary in the State of California. CJA is governed by an elected 25 member Executive Board. In 2007, Judge Oliver was elected to serve on the Executive Board for a three-year term, and during the 2008/09 term he served as Vice President



Patty Wallace and the Honorable Denise Whitehead are champions of justice

On September 27, 2007, the Honorable Rosendo Pena received the Latino Heritage Award from Assembly member Juan Arambula for his contributions to the legal community. The award honors individuals who have made a difference in the lives of others in the community.



Honorable Rosendo Pena

The Japanese American Citizens League presented Judge Dale Ikeda with the Japanese American Biennium Award in recognition of his contributions to the advancement of fair and equal treatment in administering the rule of law.



Honorable Dale Ikeda receives award

The award was presented at the National JACL convention on July 19, 2008.

Grants and Statistics

In calendar year 2007, the Court obtained seven new grants and renewed nine, totaling more than \$3.1 million for such things as self-help services, early neutral evaluation for civil cases, and a number of juvenile programs. In addition, the Court participated in successful collaborative applications with the Probation Department to start a Juvenile Behavioral Health Court and a domestic violence pilot project with the Marjaree Mason Center.

In 2008, the Court obtained ten new grants and renewed eleven for a total of more than \$3.2 million. One of the grant highlights was a project to enhance services for drug court defendants who have mental health disorders. This project was one of 23 that the Department of Justice funded from more than 200 proposals.

Statistics Summary

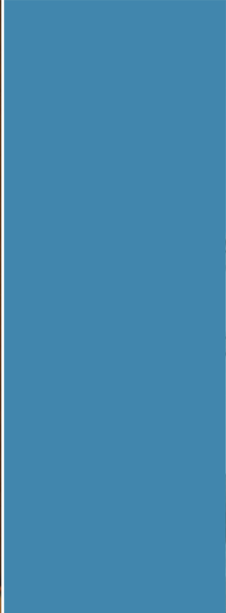
The Superior Court of California, County of Fresno, is the ninth largest Court in the state in terms of the number of cases filed and tenth in terms of population served. The Court has 41 judges and eight commissioners, and over 550 staff to handle approximately 270,000 annual case filings and serve the County's population which now exceeds 900,000.

The Court holds sessions in 13 facilities throughout Fresno County and handles all types of state cases including civil, criminal, family, juvenile, traffic and probate.

Annual Filings by Case Type

CIVIL	2007	2008
Limited Civil	16,012	19,404
Unlimited Civil	2,835	4,551
Small Claims	4,280	4,350
Subtotal	23,127	28,303
CRIMINAL/TRAFFIC	2007	2008
Felonies	13,082	11,377
Misdemeanors	69,493	59,415
Traffic Infractions	148,578	147,291
Others: Habeas Corpus & Appeals	573	522
Subtotal	231,726	218,594
JUVENILE	2007	2008
Delinquency	4,573	4,199
Dependency	909	1,072
Subtotal	5,482	5,271
FAMILY LAW & PEOPLE	2007	2008
Family Law	3,893	3,959
Family Support	10,748	10,858
Probate/Guardianship	1,053	990
Mental Health	457	339
Subtotal	16,151	16,146
TOTAL FILINGS	276,486	268,314





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County of Fresno

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