BIENNIAL REPORT TO COMMUNITY: 2009-2010

Superior Court of California, County of Fresno

The Commitment to Justice: Progress and Innovation During Challenging Times

Biennial

report to community

ORGANIZATION

The Superior Court of California, County of Fresno, will serve the community and enhance public trust and confidence in the administration of justice through:

- The impartial and timely resolution of disputes
- Ensuring compliance with the law and court orders
- Fostering a vital court-community relationship that promotes equal access to the courts.

TABLE OF CONTENTS

Introduction	*Page 3*
Innovation	*Page 3*
Efficiency	*Page 5*
Service	*Page 7*
Leadership	*Page 9*
Vision	*Page 11*
Annual Filings	*Page 12*

Superior Court of California, County of Fresno

2009 - 2010

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Pictured on the front cover: the Juvenile Justice Campus (JJC). Back cover: The B.F. Sisk Courthouse at night.
Pictured above from top to bottom: the JJC lobby mural and Department 501 at the Sisk Courthouse.

Introduction by Presiding Judge M. Bruce Smith:
Accomplishments of the Past Two Years

I cannot remember any other two year time frame in my life that seemed so long, or went by so quickly. Seven hundred and thirty days can seem like an eternity, until they pass. The beauty of being the Presiding Judge of a court such as ours, is that there is always something being constructed, modified, perfected, innovated or instituted and if you are lucky enough for it to come to fruition during your term as Presiding Judge, deserved or not, you get credit for it. Suffice to say I was quite fortunate. As luck would have it, the Juvenile Justice Facility was completed and occupied in July of 2009. I had the privilege of speaking at the grand opening.

In November of 2010, we opened an additional 200,000 square feet of court space at the Sisk Courthouse. I was privileged and honored to speak at the dedication as well as introduce Chief Justice Ronald George. Both of these projects had been in the planning and construction phases for many years, and many people, within the court and outside of it, were very instrumental in seeing to it that everything came out perfect. As I noted at the dedication of the Sisk Courthouse, every decision made and every penny spent was based on what would be best for the public, litigants, attorneys, and court personnel.

I'm gratified that for the most part, the Court has been most successful in operating facilities, whether new or time-tested, that support the mission to serve the community and enhance public trust and confidence in the administration of justice. I'm also proud to work in in an environment where collaboration and responsiveness are the norm. As just one example, after losing attorneys and staff in December 2009 it became quite apparent that the Public Defender's Office would be unable to handle the caseload. The Public Defender's Office, the Fresno County Bar Association, and the Fresno Superior Court collaborated on establishing a process of appointing counsel to handle the cases of indigent defendants who could not be represented by the Public Defender.

Fiscal Year 2009/2010 was the year of court closures, during which all courts in the state were closed the third Wednesday of each month. Despite the obvious contradiction to the statewide goal of Access to Justice by all, our court worked hard to make sure that the problem of cramming more work into a shorter period of time did not become paralyzing. Despite these challenges, the court was -- and continues to be -- very capably monitored and stewarded by its administration that has always had a knack of staying at the forefront statewide, causing it to be well informed and favorably recognized throughout the state.

With all that being said, I am pleased to present our court's second electronic Biennial Report to the Community. A few years ago, we decided these reports should coincide with a Presiding Judge's term of office. Thus, we now produce one every other year. In this day of high-speed technology, posting the report on our website and distributing it via email increases public access to the information while saving taxpayer money. Enjoy!

Progress through innovation

To meet the ever-growing demand for services during challenging fiscal times, the Fresno Superior Court has increasingly turned to technology for solutions. The following are snapshots of some of the service enhancements afforded through innovative use of technology in 2009 and 2010.

Electronic Probable Cause Declarations

In 2009, the Court, law enforcement agencies, and the jail revamped the way Probable Cause Declarations (PCD) are filed and reviewed in Fresno County. Officers must file a PCD with the court within 48 hours of arresting and booking an adult suspect into jail on any new criminal charges. The PCD deadline for juvenile apprehensions is 72 hours. The declaration allows a judge to determine if the arrest meets certain legal standards and if the suspect can be held in custody.

Previously, law enforcement agencies would fax the declarations to the Fresno Superior Court. This required the judge on weekend and holiday PCD duty to go to the courthouse to review the faxed PCDs. The judge would fax approval or denial of the declaration to the filing law enforcement agency and the jail or walk the paperwork to the jail if the fax machine was out of order. Obviously, this process was inefficient. Declarations were handwritten by officers and were sometimes illegible; faxes made them even more difficult to read. The machines could run out of paper or toner, jam or fail to transmit, causing frustration and delays. The inherent time lag in the process occasionally resulted in judges reviewing PCDs for suspects who had already been released.

The secure Automated Regional Information Exchange System (ARIES) website computerized the PCD process. The ARIES enables arresting officers to type, spell-check, and file clear, discernible declarations online. The filed PCDs are placed in a single electronic queue organized by arrest times to facilitate tracking a suspect's status for the review deadline. If a suspect is released from custody, the PCD is removed from the active queue immediately. Working from any computer, the on-duty judge uses a different ARIES password-protected module to review the declarations and respond electronically.

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The ARIES electronic PCD system.

This process provides law enforcement agencies, the jail, and judges immediate access to the information they need. The ARIES system eliminates the risk of lost or delayed faxes, and reduces supply costs. Saving everyone time and money improves the efficiency of the justice system in providing due legal process.

Docket Call

The 2010 opening of the B.F. Sisk Courthouse provided many opportunities to enhance services to the public. Few are more visible, or immediately helpful, to court visitors as Docket Call.

Docket Call is a schedule and location display system that is controlled by the court data network. It pulls information electronically from the case management system numerous times per day and analyzes it to reflect specific courtroom assignments. In addition to the lobby directory showing the entire case calendar for the Sisk Courthouse, there is a smaller display in front of each courtroom with that specific docket. Though the system is completely automated, Docket Call allows manual entries for late-breaking updates and important announcements.

The main lobby display also helps visitors locate services quickly such as the Self-Help Center or the Department of Child Support Services. Compositely, these features make visiting the Sisk courthouse easier and less confusing for the public.

VoIP Telephone System

The Court continued to speed along the information superhighway in 2009 by implementing VoIP, which stands for Voice over Internet Protocol. The system turns audio signals from the phone into digital data that can be transmitted over the Court's data network. By modernizing the Court's communication capabilities with functions such as web and video conferencing, VoIP increases employee productivity and boosts efficiency. Because it bypasses some traditional telecommunication services, VoIP saves the Court an average of $148,000 annually.

In addition to saving money, VoIP offers court users more convenience. From one central line through a new VoIP contact center system, the public can connect directly with departments such as Jury Services or Traffic. An automated message allows the court to answer frequently asked questions while callers are in queue for personal assistance. These messages often address the callers' needs quickly eliminating the need for them to speak to staff. This serves the public better and saves time – for both callers and the Fresno Superior Court.

Transcript Assembly Program (TAP)

In 2009, the California Court of Appeal, Fifth Appellate District (5DCA) and the Fresno Superior Court conceptualized and developed the TAP, a ground-breaking process for preparing civil appeal documents. The two project partners worked with IKON Office Solutions to customize an electronic document management system, or EDMS, that is compatible with trial court case management programs. The EDMS pulls existing electronic case records or uses documents scanned explicitly for the purpose of creating a civil appeal transcript. Once the EDMS assembles the documents, the TAP software electronically redacts, copies, bates-stamps, paginates, creates indices, and compiles these documents into the appeal volumes. Unlike the manual process that required tedious and time-consuming repagination for later additions to an assembled appeal packet, TAP does this electronically in seconds.

The appellate and superior courts worked together to secure a planning grant from the State Justice Institute to conduct a pilot test and to assess what equipment and staff training would be needed for full-scale implementation. The Fresno Superior Court's Technology Division worked closely with IKON to implement the TAP and Stanislaus Superior Court joined in the testing phase. The two courts found that the TAP cut the staff time to assemble the appeal transcript by more than four hours per 300 pages. In fact, the new system will allow the Fresno Superior Court to reassign 1.5 out of 3 staff members from civil appeal preparation to other areas where assistance is needed. The automated assembly saves paper and other office supplies and transmitting the appeal records electronically saves postage.

Beyond the immediate value of automating the civil appeal process, the EDMS shows promise in other applications. Automating calendar management and archiving are just two possibilities. The system has great potential for enhancing self-help services, particularly for persons in remote areas of Fresno County.

Fast Facts: Archives

The Archives Division stores and manages more than 1.5 million files in five facilities. This busy area of the Court receives between 5,000 and 6,000 electronic file requests each month. In an average day, the Archives Division pulls 350 files, processes up to 100 copy requests, and makes 40 print-outs from the Court's various case management systems for the public and other government agencies. The dedicated staff is also responsible for safely storing more than 25,000 historical case files from 1857 until 1911.

More innovative justice

The California Law Enforcement Telecommunications System (CLETS)

After years of relying on the Fresno County Probation Department for criminal background information, in 2009 the Fresno Superior Court began using CLETS, a secured online information-sharing system that provides direct access to local, state, and federal criminal databases. The system also allows authorized agencies to send messages to specific CLETS users or issue regional broadcasts resulting in the most updated information. With more than 1,700 law enforcement and justice organizations using it, CLETS gives the Court resources that extend far beyond the Fresno County line. In fact, CLETS interfaces with the California Department of Justice (DOJ), the Department of Motor Vehicles, and the Federal Bureau of Investigation's National Crime Information Center. Consequently, only persons who have passed full background checks, completed specialized courses, and are certified by the DOJ can use the secure system terminals.

Access to comprehensive, up-to-date criminal information is useful for a variety of court functions. For instance, CLETS-certified personnel in the Traffic Division can determine if local defendants have DUI convictions or pending charges in other jurisdictions. It is also useful for researching criminal histories, particularly those involving violent crimes, when the court is reviewing restraining order requests. Accessing information instantaneously that might otherwise require days or weeks to acquire helps the Court remain responsive to those whom it serves.

Fast Facts: Interpreters

More than 100 languages are spoken in Fresno County. The Fresno Superior Court provides interpreting services for litigants with limited English proficiency involved in criminal, traffic, and juvenile delinquency trial court proceedings. Through grant funding from the Administrative Office of the Courts, interpreters are also provided in family law cases where domestic violence restraining orders are being sought or have been issued.

California Court Protective Order Registry (CCPOR)

The CCPOR is the only statewide repository for scanned images of protective and restraining orders issued in California as well as related information. It complements the CLETS in providing instantaneous information to courts and law enforcement agencies. The registry was launched in 2010 by the California Administrative Office of the Courts in partnership with the California Department of Justice and 20 courts, including the Fresno Superior Court.

The CCPOR supports all types of adult and juvenile orders and their proofs of service. These include criminal, elder, dependent adult, and emergency protective orders as well as civil harassment, domestic violence, and workplace restraining orders. It helps to reduce conflicting orders among departments in one court or between different jurisdictions. It is particularly helpful to law enforcement officers who may be responding to situations involving court orders from other areas. The CCPOR also collects statistics that may be used for grant writing, reporting, and strategic planning purposes. Through the innovative use of technology, the CCPOR bridges communication gaps and puts critical public safety information in the hands of courts and law enforcement agencies.

Progress through efficiency

B. F. Sisk Courthouse Rededicated for Superior Court Use

After nearly 12 years of collaborative planning and working, on October 4, 2010 the Fresno Superior Court rededicated the B.F. Sisk Courthouse. The Honorable Ronald M. George pleased the residents of Fresno County by speaking at the festivities just weeks before his retirement as the Chief Justice of the California Supreme Court. This was fitting as Chief Justice George's distinguished judicial career began just a few years after the B.F. Sisk Courthouse opened in 1967.

The facility served as the federal courthouse until it was vacated in 2006 when the Robert E. Coyle United States Courthouse opened in another downtown Fresno location. From the time the first nail was driven, it took just 18 months for the California Administrative Office of the Courts (AOC) to renovate the five-story Sisk Courthouse in order to bring it up to current construction and technology standards needed to serve the public safely and efficiently.

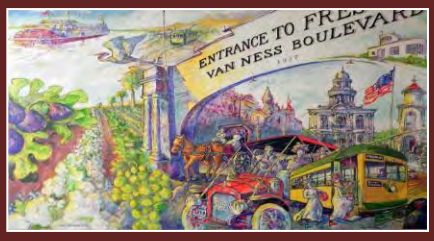
The facility now has 15 courtrooms and is the new home of the Alternative Dispute Resolution, Civil/Small Claims, Family Court Mediation Services, Family Law, Family Support, Probate, and Research Attorney departments. The Fresno Superior Court Self-Help Center, now also relocated to the Sisk Courthouse, offers procedural assistance at no cost to people who are representing themselves in family law cases.

Pictured (left to right): Court Executive Officer Tamara Beard; the Hon. M. Bruce Smith, Presiding Judge; Administrative Office of the Courts Chief Deputy Director Ron Overholt; and Chief Justice Ronald M. George.

"Today we rededicate this building as a symbol of our enduring commitment to the rule of law."

- Hon. Ronald M. George
Chief Justice of California (ret.)

The Sisk Courthouse also centralizes a number of community programs that complement Court services for public convenience and ease. The Court contracts with the Better Business Bureau for the Small Claims Advisory Program, which provides information and procedural guidance at no cost to self-represented litigants in a variety of civil case types. In addition, Central California Legal Services and the Marjaree Mason Center share an office that provides free elder abuse and domestic violence assistance on alternate days. Parents working through child support disputes in family law court find the onsite office of the Fresno County Department of Child Support Services expedient for their needs.



The newly renovated B.F. Sisk Courthouse has a number of other features that enhance services to the public. The Docket Call system helps visitors navigate throughout the courthouse. In the main lobby, the system electronically displays the list of all matters scheduled for that day and the courtrooms to which they are assigned. There is also a display outside each courtroom with an updated schedule.

With its child-size furniture and whimsical appointments, the Mario J. Olmos Children's Waiting Room takes a youthful approach to service. Children can have fun in this professionally supervised, secure playroom at no cost while their parents conduct court business. Reflecting the Fresno Superior Court's pledge to provide Fresno County residents with the most efficient and useful services, Chief Justice George noted in his dedication remarks, "Today we rededicate this building as a symbol of our enduring commitment to the rule of law."

One of the highlights of the festivities was the dedication of the Jury Assembly Room to the Honorable Brad R. Hill. Now the Administrative Presiding Justice of the California Court of Appeal, Fifth Appellate District (5DCA), His Honor was on the Fresno Superior Court bench and serving as the Facilities Committee Chair when he learned in 1998 that the federal court judges were seeking authorization and funding for a new federal courthouse. Over the course of the next nine years -- even after being elevated to the 5DCA in 2006 -- Presiding Justice Hill worked tirelessly until the federal government conveyed title of the building to the Fresno Superior Court for $1 and state funding was acquired for the renovations. On behalf of the residents it serves, the Fresno Superior Court is grateful to Presiding Justice Hill for his dedication and tireless efforts toward the acquisition and renovation of the B.F. Sisk Courthouse.

Pictured from top to bottom: B.F. Sisk Courthouse mural, Sisk Courthouse lobby, and the Hon. Brad Hill.

Fast Facts: Domestic Violence

The Domestic Violence Coordinator provides information, procedural guidance and referrals to community services for abuse victims. The Fresno Superior Court issues more than 978 protective orders **each month** in criminal, family law, and civil cases.

More efficient justice

Juvenile Justice Campus Promotes Efficiency

The opening of the Juvenile Delinquency Court in July 2009 was the final phase of the new, multi-use Fresno County Juvenile Justice Campus (JJC). The courthouse, which is a joint-owner partnership between the County of Fresno and the Judicial Council of California - Administrative Office of the Courts, has four completed courtrooms and space for two more to accommodate future growth.

While beautiful and efficient, the facility's true design value is that it promotes synergy and collaboration between the different entities working with youth and families involved in the juvenile justice system. The lower level of the two-story, 121,709-square foot facility consists of offices for the juvenile divisions of the Probation Department, Conflict Counsel, District Attorney and Public Defender's Offices. In addition to the juvenile detention facility, other buildings at the JJC house educational and community service organizations. The close proximity of all these entities creates a collaborative, problem-solving environment that uses resources more effectively to benefit youth and families.

Donated artwork, including a large mural in the lobby, depicts youth involved in a variety of positive and/or sports-centered activities. They serve as a constant reminder of whom the court serves. The child-friendly theme is mirrored in the children's waiting room where fun indoor and outdoor activities keep younger children happily entertained while their siblings and parents attend court.

Pictured upper-right (front row from left to right): the Hon. David Gottlieb; California Supreme Court Justice Marvin Baxter; Justice Brad Hill; the Hon. M. Bruce Smith, Presiding Judge; Supervisor Susan Anderson; AOC Director Lee Willoughby; and the Hon. Gary D. Hoff cutting the ribbon during opening festivities as other dignitaries look on. Pictured right: Juvenile Delinquency Courthouse at the Juvenile Justice Campus (top) and Juvenile Court Manager Sandra Leon leading a tour during the grand opening festivities.

Consolidations Maximize Resources

With the Court's responsibility to be the best steward of resources comes the need to make difficult choices. This was the case in the past two years as the fiscal crisis in California has pressed all governmental agencies to examine closely their operations and expenditures to maximize limited resources, increase operational efficiencies, and ensure public safety. This ongoing process led the Fresno Superior Court to close the Kerman branch courthouse on February 20, 2009 and the Fowler branch courthouse on April 30, 2010. In both these instances, the Court met with community leaders, held public meetings, and carefully considered all public input before making the difficult decision to consolidate these operations into other court facilities as cost-saving measures.

Similarly, in 2010 the Court began planning to relocate the Dependency Division from its location on Fulton Mall into the main courthouse in downtown Fresno. The County of Fresno and the Court rented this four-courtroom building in 1999 to centralize personnel from various agencies working with families in the dependency court system. In addition to the Court, this included the Department of Children and Family Services, District Attorney's and Public Defender's Offices. In October 2009, however, the County of Fresno consolidated the county satellite offices into other locations due to the county fiscal crisis. This left the second floor of the building mostly vacant and negated any efficiency the Court gained by renting space there. Security was another consideration for moving the Dependency Division. Visitor screening would pose logistical challenges in this Fulton Mall facility should new building tenants occupy the vacated space. In addition to increased security risks, this action would likely result in the Court incurring significant expenses for security-related building renovations.

Fast Facts: Family Court Services

Family mediation is a court-ordered process required by California law involving contested child custody and visitation matters. The purpose of mediation is to effect a settlement of the custody and visitation dispute that is in the best interest of the child. The emphasis is to encourage parents to share their parental rights and responsibilities in a cooperative and positive manner that best serves the needs of the child. Each year, approximately 2,450 families participate in court mediation.

Fortunately, relocation of several departments to the B. F. Sisk Courthouse in the fall of 2010 opened space at the main courthouse for the Dependency Division and also an office for Court Appointed Special Advocates with CASA of Fresno. The consolidation also enabled the Court to redirect resources from operating the children's waiting room at the Fulton Mall facility to a new children's waiting area in the Sisk Courthouse. As there was already a children's waiting room in the main courthouse, this free and helpful service will still be available to parents visiting the newly relocated Dependency Division in the future.

Progress through service

During challenging fiscal times, the Fresno Superior Court continues enhancing services by strengthening partnerships with a variety of organizations -- in Fresno County and beyond. Summarized below are a just few of these collaborative programs that took center stage during the two years covered by this biennial report. A comprehensive list of Court and community services can be found on ***www.fresnosuperiorcourt.org***.

Fast Facts: Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) is often faster, cheaper, and less stressful than a trial. Because ADR often results in a compromise rather than a win-lose outcome, parties are typically more satisfied than with the traditional court process. For those reasons, the Fresno Superior Court now requires litigants in general civil cases to try ADR. The ADR Division conducted 1500 settlement conferences from 2005 to 2009. Of those, 38 percent were resolved before going to trial.

Youth Programs

Partnerships with schools allow the Court to focus on the present while planning for the future. The **Mock Trial** is an annual collaborative project between the California State Bar Association, Fresno County Office of Education, area law firms, sponsoring businesses, and the Federal, Fifth District Appellate, and Superior courts. All Fresno County high schools are invited to participate in this competition designed to teach students about the criminal justice system. The event also increases the youth's analytical abilities, self-confidence, and communication skills. They play attorneys, witnesses, court clerks, and bailiffs in presenting a simulation of an actual criminal case.

The Hon. Gary Orozco at a Youth Court recognition ceremony.

Over 100 attorneys and judges volunteer their time to coach the teams and evaluate the competition each year. The winning team advances to the statewide competition. Buchanan and Clovis North High Schools won the 2009 and 2010 Fresno County competitions, respectively, from a field of nearly 20 teams.

The **Bullard High School Law Magnet** goes one step further than Mock Trial in teaching students about the justice system. The program prepares them for careers in the field of criminal, civil, and constitutional law. Fresno Superior Court judicial officers and executive management staff have been active in the project from its inception in 2006 and also participated in designing the courtroom that opened on campus in 2009.

The campus courtroom, which is one of only three in California, and a forensic lab support four academies: American Legal System, Science and Law, Business Law, and Social Justice. These academies combine traditional classroom learning with specialized instruction from local experts, including judicial officers.

The Hon. Kimberly Nystrom-Geist with a Youth Court participant.

Youth Court is another project in which the education and juvenile justice systems collaborate to improve youth outcomes. High schools, the Fresno County Probation Department, and the Fresno Superior Court work together to intervene when youth commit minor offenses with the goal of preventing future serious crimes. Eligible offenses include

(Continued on following page.)

Serving the community

petty theft, simple battery, graffiti, vandalism, possession of marijuana for personal use, and possession of alcohol. Student peers, who serve as jurors under the supervision of a Fresno Superior Court judge, also learn from the experience. Jurors attempt to match the sentence to the crime and may recommend community service, a written apology to victims or an essay relevant to the offense. The defendant's record is fully expunged when the sentence is completed. From 2009 to 2010, the collaborative partners focused on expanding this successful program even further. Four additional schools joined the program, bringing the total number to 14 throughout the county. Consequently, the number of Youth Court sessions more than doubled in that period.

Fast Facts: Self-Help Center

On a typical day, more than 75 self-represented litigants in divorce, custody, child support, and guardianship cases seek information and procedural guidance from the Court's Self-Help Center (SHC). The SHC is managed by the Family Law Facilitator, who is an attorney, and staffed by the Family Law Information Attorney and paralegals called "examiners." The SHC provides free family law and guardianship services on a walk-in basis to any court user. A toll-free line connects residents outside the City of Fresno with initial assistance in order reduce their travel into Fresno. This remote assistance includes information on accessing court forms on the Internet and steps litigants need to take in filing and managing their cases.

The Hon. David Gottlieb addresses visitors to the Juvenile Justice Campus during the grand opening.

The annual **Access to Higher Education** event also focuses on juvenile crime prevention by targeting youth in the foster care system. Studies show that these teens are at much higher risk for drug use and delinquency than other youth. Education opens the door to a brighter future. While there is financial aid and other resources to help foster youth with college or vocational training, they do not always know how to find and take advantage of this assistance.

This changed in Fresno County where a large group of collaborators, including the Fresno Superior Court, hosted one-day events in 2009 and 2010 to help youth in foster care connect with the resources and information they needed to attend college or enroll in specialized job training. Held at California State University, Fresno, the free day-long conferences offered workshops on a variety of topics. These included high school graduation requirements, the nuts and bolts of going to college, vocational or other job-training programs, financial assistance, and independent living resources.

The Access to Higher Education events also offered the teens the opportunity to interact informally with college students who were formerly in foster care as well as representatives from educational and vocational organizations. Lunch, music, and prize drawings kept the events fun and engaging for more than 160 youth who participated each year.

Beyond these programs, the Court conducts **courthouse tours** for classes and judicial officers host student groups in their courtrooms. Depending on the size, age and interests of the students, classes can sit in on court proceedings that are open to the public. For elementary schools, judges customize their presentations to engage younger children, often inviting them to sit in the witness stand, the jury box, and even on the bench as a special treat. For a full experience, the Fresno Superior Court also facilitates presentations from Fresno County Sheriff's Deputies on their role in the courtroom, how inmates are transported, and the security screening process in court facilities.

The Hon. Gregory Fain with students participating in a court visit.

Enhanced Elder Abuse Services

Not all of the Court's programs focused on youth. To meet the unique needs of litigants involved in elder abuse cases, Family Law Presiding Judge Kimberly Nystrom-Geist started a weekly elder abuse calendar in 2010. The time and pace of the court help relieve the anxiety that many older litigants experience when going to court.

These efforts complemented free elder abuse assistance from Central California Legal Services (CCLS), the local Legal Aid provider for over 45 years. Advocates at CCLS provided information and guidance to seniors seeking legal protection from physical, financial, and emotional abuse. Due to a variety of factors, however, services for elderly litigants frequently took more time than other types of appointments. This stretched CCLS' limited resources for elder abuse services. In addition, many senior citizens coping with transportation issues and physical limitations found it difficult to travel to court and CCLS appointments on different days. Consequently, a high percentage did not follow through with their cases.

To resolve this, CCLS and the Fresno Superior Court collaborated on a grant to expand elder abuse services. With this funding, CCLS opened an elder abuse office in the main courthouse in January of 2010. It moved to the new B. F. Sisk Courthouse when the Family Law Division relocated there late in the year. Staffed by a CCLS advocate especially trained to work with senior citizens, the office is open three days a week, including on the elder abuse court day. The advocate now has the time to explain the court process fully to litigants, assist them with forms, and connect them with other helpful community programs.

The collaborative project has improved efficiency and outcomes for elder abuse litigants, CCLS, and the Court. More litigants are completing their cases and many have expressed appreciation for the expanded services. The project has been so successful that a Marjaree Mason Center advocate now uses the office on the alternate days to provide onsite services to litigants in domestic violence cases.

New Drug Court Services

In October of 2010, the U.S. Department of Justice and the Department of Health and Human Services jointly awarded the Fresno Superior Court a $1.31 million grant to enhance the adult drug court program. Like the court itself, the new project is a collaborative partnership between the Fresno Superior Court, Fresno County Probation Department, District Attorney's Office, Law Office of the Public Defender, Department of Behavioral Health – Substance Abuse Services Division, and Mental Health Systems, a community treatment provider. The three-year funding affords a mental health assessment for all new drug court participants in order to understand their status. The program then integrates mental health therapy with drug treatment for participants whose mental health disorders may prevent them from successfully completing substance abuse rehabilitation and fulfilling drug court requirements.

Left to right: Probation Officer Nicole Morales, the Hon. Debra Kazanjian, and Services Coordinator Bernadetta Carter prepare for drug court.

Fast Facts: Juror Services

Fresno County citizens continue to help the Fresno Superior Court meet the demand for jury trials in 2009 and 2010. The total number of jury summons sent in both calendar years was 317,658 and the total number of persons sent to courtrooms for jury selection in the two-year period was 31,779. The composite number of cases for which a jury panel was created was 479 with 6,173 jurors sworn in. The average length of jury trials in both years was 5.3 days.

Though more than half of the participants need this type of integrated treatment, severe budget constraints have prevented Fresno County from providing it in the past. The grant also funds a program coordinator to provide concentrated services focused on helping participants stabilize their lives and remain drug free. Without this intensive, individual help, many defendants previously failed out of the drug court program, incurring millions of dollars in additional law enforcement, court, and incarceration costs.

Progress through leadership

New Judges Strengthen the Court

The 2007 enactment of Assembly Bill 159 created 50 new judgeships and authorized the conversion of 16 commissioner positions to judgeships for California Superior Courts in the 2007-2008 fiscal year. It also made provisions for 146 future commissioner conversions throughout the state at a rate of 16 per year. Though the legislation will not bring the Fresno Superior Court up to the 76 judicial officers recommended by a National Center for State Courts workload study, it moved the Court closer to this level in 2009 and 2010.

After Commissioner Glenda Allen-Hill was elevated in the summer of 2008 to fill the vacancy left by a retiring judge, her vacated commissionership was converted to a judgeship upon execution of the state's 2008-2009 budget. The Honorable F. Brian Alvarez took the judicial oath of office for this newly created judgeship in July 2009. Similarly, the position opened by the March 2010 retirement of Commissioner Nancy Cisneros was approved for a judgeship conversion but deferred until the state budget was adopted many months into that fiscal year. It was eventually filled by the appointment of the Honorable Rosemary McGuire in December of that year.

Not all judiciary changes were a result of conversions, however. Fresno County voters elected the Honorable James Kelly to the bench for a six-year term starting in January of 2009. He filled the vacancy left by the retirement of Judge Kent "Buck" Levis in late 2008. The Honorable Jonathan Skiles, who became a commissioner in 2009, was elevated in October 2010 after Judge James Oppliger retired. The judges of the Fresno Superior Court subsequently appointed the Honorable Kate Meehan to fill the open commissioner position in December. Also in that month, as one of the last judicial appointments of his administration, Governor Arnold Schwarzenegger selected the Honorable Dennis Peterson to fill the vacancy created by Judge Donald Franson's elevation to the California Court of Appeal, Fifth Appellate District. The judicial officers are part of a bench now comprised of 42 judges and seven commissioners fulfilling the legacy of leadership and service set by the Honorable Samuel Ash Holmes, Fresno County's first judge, more than 132 years ago.

Pictured right: The Hon. M. Bruce Smith, Presiding Judge.

The Hon. Gary D. Hoff.

Future leadership

The judges of the Fresno Superior Court elected the Honorable Gary D. Hoff as the Presiding Judge for 2011 and 2012. The Honorable Gary R. Orozco will serve as the Assistant Presiding Judge.

Fast Facts: Family Law

People often associate family law with difficult issues such as divorce, child custody, visitation, and support. In 2009 and 2010, however, the Court approved 391 adoptions and witnessed the joyous celebrations of these new families.

Awards and honors

In the past two years, a variety of organizations recognized the accomplishments of members of the Fresno Superior Court. These distinguished judicial officers and managers are just a few of the many dedicated persons who work daily to meet the court's mission of justice and service.

Marjaree Mason Center

In October 2009, the Honorable Hilary Chittick joined an elite group of women to be recognized annually as the Top Ten Professional Women by the Marjaree Mason Center. Judge Chittick was honored for her tireless commitment to help the most vulnerable and downtrodden. She was instrumental in finding the resources to start Fresno County's adult behavioral health court (BHC) and leads the multi-disciplinary professionals who work in this calendar. Her Honor's leadership, dedication, and support have sustained the BHC through challenging fiscal times. She is also involved in numerous other community projects that improve the quality of life in Central California.

California State University, Fresno Foundation

The Honorable Robert Oliver was named the 2010 Distinguished Alumnus Top Dog, an annual CSUF Foundation recognition for those who have achieved a high level of stature in their professions and provided meritorious services to their alma mater. Judge Oliver was in the United States Air Force/Air National Guard for 22 years and retired with the rank of lieutenant colonel. He chaired the Foundation Board of Governors for 16 years and continues to serve as chair emeritus. His Honor is also on the board of the San Joaquin College of Law and active in numerous community organizations.

Award recipients (left to right): Hon. Hilary Chittick, Hon. Kimberly Nystrom-Geist, and Hon. Robert Oliver.

Central California Legal Services

Family Law Presiding Judge Kimberly Nystrom-Geist was named one of Central California Legal Services' 2010 Champions of Justice for her commitment to enhance the family law court process. Her Honor has been a leader in simplifying and improving the family law court process, particularly for the large number of self-represented litigants. Among her many accomplishments in this area were establishing a weekly elder abuse calendar to prevent seniors from having to sit through other family law hearings, which are often contentious. Judge Nystrom-Geist takes the time to explain court terms and proceedings so the court process is less confusing and intimidating for seniors.

Jury Education and Management Forum

Jury Services Manager and Media Coordinator Sherry Spears was recognized with the 2010 Jury Education Achievement Award for professional excellence at the JEM Forum's fall conference. She started her 29-year career as a clerk with the Court in the Master Calendar Division and was later promoted to manager. In 1997, Ms. Spears accepted her current assignment in Jury Services where she particularly enjoys working with students to increase their understanding of the judicial system.

Fast Facts: Research Attorneys

There are 13 research attorneys that work on an average of 145 regularly set law and motion matters per week for the Unlimited Civil Department. In 2009, they worked on 398 writs of habeas corpus and 408 motions while in 2010 they completed 399 writs and 420 motions.

California Court Association

Selma Division and Collections Manager Pamela Sue Anderson was elected as the 2011-2012 president of the CCA. A member of the CCA since she began working at the Fresno Superior Court in 1999, Ms. Anderson brings a wealth of experience to her new position. She served previously as secretary, vice president, and the chair of the Training and Certification Committee. She has also worked at the federal court and in the Technology Division of the Fresno Superior Court.

San Joaquin College of Law

The Honorable Donald Penner was inducted into the SJCL Alumni Hall of Fame in 2009 and was joined a year later by the Honorable Alan Simpson and Nancy Cisneros. Hall of Fame inductees are chosen based on their high standards of ethics, professional competency, and achievements. Judge Penner certainly has all these attributes, and more. After a long and distinguished career of 31 years in various positions at the Fresno County District Attorney's Office, His Honor joined the Fresno Superior Court bench in November of 2006. He has worked in the limited civil, small claims, domestic violence review hearings, misdemeanor, and felony calendars.

Judge Simpson also worked at the Fresno County District Attorney's Office and was later in private practice. He was appointed to the Fresno Superior Court in 2000 where he has worked in the criminal court and served for three years as the Presiding Judge of the Criminal Division. In September of 2004, he joined the Civil Division where he has been the Civil Presiding Judge for the past three years.

A past recipient of the Justice Pauline Hanson and Champion of Justice awards, Commissioner Cisneros served on the bench with distinction for 22 years prior to her retirement in March of 2010. She is well known for her passion and dedication to the drug court program, where she used a firm but supportive approach to encourage participants to achieve sobriety and lead productive, responsible lives.

A legacy of service

The following judicial officers and court managers retired in 2009 and 2010 after more than 130 years of combined service:

Assistant Court Executive Officer Sandra Silva - March 2009

The Honorable Martin Suits – September 2009

Master Calendar Division Manager Linda Reed – November 2009

Reedley Division Manager Peggy Littlefield – January 2010

The Honorable Nancy Cisneros – March 2010

The Honorable James Oppliger – November 2010

Selma Division Manager Nancy Cooper – November 2010

In Memoriam

The Fresno Superior Court bid a sad farewell to the following colleagues in 2009 and 2010:

Honorable Carl Evans (Ret.)

Honorable Thomas A. Harris (Ret.)

Honorable Franklin P. Jones (Ret.)

Honorable Robert L. Martin (Ret.)

Progress through vision

A Message from the Court Executive Officer: Tamara Beard

If there is one thing I have learned in my 25 years as a court administrator it is that nothing can be gained by giving up when faced with challenges. Beyond depending upon their leaders to perform and strategize today, people look to them to cultivate and promote a vision for tomorrow. The best leaders analyze the situation, evaluate the options, and move forward to achieve the vision. This isn't always easy given that the target usually keeps moving and one is not always in control of the variables. The variables in the last two years have been the fiscal crisis and its impact on our budget.

These are very challenging and sometimes frightening times. Private and public sector jobs are being cut; unemployment rates are staggering. The financial shortfall began affecting the California court system in 2008 but increased dramatically in 2009 and 2010. Between direct cuts and unfunded contractual obligations, we had to come up with over $9 million in Fiscal Year 2009-10 and $13 million in 2010-11.

Finding ways to manage such deficits have been especially challenging given the fact that our court is, and always will be, loyal to our very competent and hardworking employees. This court fully grasps the need to become even more frugal; that we have to "do more with less," all of which requires our employees to consistently perform at superior levels. We have made a commitment to pinch pennies and leave vacancies unfilled to avoid layoffs. But we also have an obligation to provide a service, hopefully of high quality and value, to the public and to our valued employees. We understand that we are entrusted with making the wisest financial and operational decisions. If we are not good stewards of that trust and confidence, we run the risk of affecting the lives of litigants, customers, employees, and their families.

So, to coin a phrase my children learned in pre-school, "You get what you get and you don't throw a fit!" In other words, we have to find a way to make things work with what we have or change the circumstances. For that reason, we at the Fresno Superior Court continue to evaluate where we can cut costs, increase efficiency, and live with vacancies. Strategic planning has become part of the daily work process in order to find better ways to operate. Developing new, innovative programs and services that increase efficiency is not a wish, it is an obligation.

CEO Tamara Beard meeting with court staff.

I am proud to say that this court has been blessed with presiding judges, and indeed all of our judges and commissioners, who fully support these philosophies. Presiding Judge M. Bruce Smith led by example. He committed himself to seeing that this court was managed well and that despite dwindling resources, everything we did contributed to achieving two goals: Providing quality public access to the judicial system, and ensuring job security for our excellent employees. Although we faced a severe fiscal crisis in 2009 and 2010, he ensured the Fresno Superior Court met its goals and moved forward. Special thanks to Judge Smith, all of the judicial officers, and our excellent employees. Their commitment to the court has been and continues to be our greatest asset in achieving our vision.

Annual case filings

Budget Summary

The Fresno Superior Court has an annual budget of approximately $65 million. Over 70 percent is dedicated to salaries and benefits. Security is the second largest expense and is 20 percent of the budget. In FY 09/10 and FY 10/11, the Court absorbed $10 million and $13 million in direct cuts and unfunded cost increases, respectively.

Civil	2009	2010
Unlimited	4,824	4,539
Limited	17,738	17,075
Small Claims	3,918	3,366
Subtotal	26,480	24,980
Criminal & Traffic	**2009**	**2010**
Felonies	8,311	7,444
Misdemeanors	42,708	39,619
Traffic Infractions	139,686	122,839
Habeas Corpus	400	396
Other Criminal Petitions	58	43
Appeals	44	38
Subtotal	191,207	170,379
Juvenile	**2009**	**2010**
Delinquency	4,005	3,311
Dependency	1,176	1,112
Subtotal	5,181	4,423
Family Law & People	**2009**	**2010**
Family Law	5,140	5,957
Family Support	7,535	4,035
Probate/Guardianship	835	950
Domestic Violence	1,861	1,825
Mental Health	304	258
Subtotal	15,675	13,025
Total Filings	238,543	212,807

Court Operations

Though there have since been consolidations and relocations as noted in previous areas of this biennial report, in 2009 and 2010 the Fresno Superior Court served the public at the following locations.

Courthouses: B.F. Sisk, Clovis, Coalinga, Firebaugh, Fowler, Fresno Main, Jail Annex courtrooms, Juvenile Delinquency, Juvenile Dependency, Kerman, Kingsburg, M Street, Plaza Building courtrooms, Reedley, Sanger, and Selma.

Other Facilities: ACTION Center (After Criminal Infraction One-stop Network) at the Fresno Main Courthouse; administrative offices and the Probate Clerk's Office at the Trade Center; Family Court Mediation Services and Clerk's office at the Plaza Building; Mario J. Olmos Children's Waiting Rooms at the Fresno Main, Juvenile Delinquency, Juvenile Dependency, and B. F. Sisk Courthouses; three archive facilities; and the Self-Help Center.

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