

Item SP07-01 Response Form

Title: Judicial Branch Education: Minimum Education Requirements, Expectations, and Recommendations (repeal Standards of Judicial Administration 10.10-10.15; adopt Cal. Rules of Court, rules 10.469, 10.471, 10.472, 10.479, and 10.491; amend rules 10.452, 10.461, and 10.462; and amend and renumber rules 10.463, 10.473, 10.474, and 10.481)

- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

- Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

Please **write** or **fax** or **respond using the Internet** to:

Address: Ms. Geraldine Dungo,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102

Fax: (415) 865-7664 Attention: Geraldine Dungo

Internet: www.courtinfo.ca.gov/invitationstocomment

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|--|
| DEADLINE FOR COMMENT: 5:00 p.m., Wednesday, May 2, 2007 |
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council,
the Rules and Projects Committee, or the Policy Coordination and Liaison Committee.
All comments will become part of the public record of the council's action.*

Invitations to Comment SP07–01

| | |
|------------|---|
| Title | Judicial Branch Education: Minimum Education Requirements, Expectations, and Recommendations (repeal Standards of Judicial Administration 10.10–10.15; adopt Cal. Rules of Court, rules 10.469, 10.471, 10.472, 10.479, and 10.491; amend rules 10.452, 10.461, and 10.462; and amend and renumber rules 10.463, 10.473, 10.474, and 10.481). |
| Summary | The proposed rules would establish additional minimum education requirements for the judicial branch in several respects. They would (1) establish minimum continuing education requirements for Supreme Court and Court of Appeal justices; (2) establish minimum orientation and continuing education requirements for Supreme Court and Court of Appeal clerk/administrators, managers, supervisors, and other personnel; (3) formalize minimum orientation and continuing education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees; and (4) incorporate relevant key provisions, including education recommendations, from the Standards of Judicial Administration related to education. |
| Source | Governing Committee of the Center for Judicial Education and Research (CJER) |
| Staff | James M. Vesper, Assistant Director, Education Division/CJER, 415-865-7797, jim.vesper@jud.ca.gov |
| Discussion | <p><u>Introduction and Overview</u></p> <p>At its October 26, 2006, meeting, the Judicial Council adopted an alternative proposal to the CJER Governing Committee’s recommendation regarding minimum education requirements for the judicial branch. California Rules of Court, rule 970 was repealed and rules 10.451–10.471 were adopted as a comprehensive system of minimum education requirements and expectations for trial court judges and subordinate judicial officers, court executive officers, and managers, supervisors, and other personnel. The alternative proposal retained most of the original proposal but changed continuing education for judges to an expectation rather than a requirement and added language regarding tracking and reporting requirements for judges and presiding judges.</p> <p>The Judicial Council, as part of its action, also approved the following</p> |

new directives for the CJER Governing Committee:

The CJER Governing Committee will make recommendations to the Judicial Council in the summer of 2007 regarding revisions to the rules on judicial branch education to incorporate relevant key provisions of the Standards of Judicial Administration in order to gather all information on education into one source, ease access to relevant information, and avoid any unintended consequences created by having two sources of information on education.

The CJER Governing Committee will assess educational needs and associated opportunities and make recommendations to the Judicial Council in the summer of 2007 regarding rules relevant to judicial branch education for appellate court justices and court personnel as well as personnel of the Administrative Office of the Courts.

Recommendation

The Governing Committee of the Center for Judicial Education and Research recommends that the Judicial Council adopt several new rules and amend rules 10.451–10.471 to meet these new directives. The proposed rules would meet both directives. They would set forth a system of minimum education requirements for Supreme Court and Court of Appeal justices, clerk/administrators, managers, supervisors, and other personnel and a system of minimum education requirements for Administrative Office of the Courts (AOC) executives, managers, supervisors, and other employees. The proposed rules would also incorporate relevant key provisions, including education recommendations, from the Standards of Judicial Administration related to education.

As with the committee's proposal in 2006, the purpose of the proposed rules would be to help to ensure the professional competency of justices, court personnel, and AOC personnel by establishing a system of minimum education requirements. They would represent a determination from within the judicial branch of the appropriate level of education requirements for justices, court personnel, and AOC personnel rather than as determined by others outside the branch, such as the Legislature. And the rules would strike a balance between minimum education requirements and discretion and options at the

individual and local court levels. Finally, the proposed rules would strike a balance between the benefits of education and the fiscal impact on the courts and the impact of time away from their duties for justices, court personnel, and AOC personnel.

Background and History of Proposal

The CJER Governing Committee, which has studied, formulated, and recommended these proposed rules, until 2006 consisted of eight judges, including one justice, and three court executive officers. The committee expanded its membership in 2006 by an additional six judges, with new members added from the Access and Fairness, Civil and Small Claims, Criminal Law, Family and Juvenile Law, and Probate and Mental Health Advisory Committees.

Regarding the Supreme Court and the Courts of Appeal

- In January 2007, committee staff met with the clerk of the Supreme Court and the clerk/administrators of the Courts of Appeal during a regular meeting of that group. Committee staff presented to meeting participants the requirements that were adopted for trial court personnel and discussed with participants their thoughts as to what would be feasible for personnel of the Supreme Court and the Courts of Appeal. Meeting participants felt that the requirements that were adopted for trial court personnel would be feasible for personnel of the Supreme Court and the Courts of Appeal.
- In January 2007, at the request of the Appellate Judicial Attorneys Education Committee, committee staff met with several committee members and discussed the requirements in place for trial court personnel. No position was taken by those participating. After the CJER Governing Committee met and approved its recommended proposal, committee staff received a memorandum from the members of the Appellate Judicial Attorneys Education Committee. The memorandum included several comments and suggestions on the proposed minimum education requirements as they apply to appellate judicial attorneys, such as changing the requirements to expectations and allowing the appellate judicial attorneys to receive retroactive credits. The Governing Committee was not able to consider these comments and suggestions at this time, but will before approving its final proposal.
- On February 8, 2007, Justice Ronald Robie, Vice-Chair of the CJER Governing Committee, and committee staff met with the Administrative

Presiding Justices Advisory Committee to discuss application of the existing trial court education rules to the Supreme Court and the Courts of Appeal, including both justices and court personnel. This would include continuing education for the justices as an expectation rather than as a requirement, and the proposed rules for appellate justices and appellate court staff would also mirror the rules adopted for the trial courts. During the meeting the Administrative Presiding Justices discussed supporting mandatory continuing education for appellate justices as an alternative to the continuing education expectation contained in the proposal. On March 5, 2007, Judge Fumiko Wasserman, Chair of the Governing Committee, received notice by memorandum that both the Administrative Presiding Justices Advisory Committee and the Supreme Court had decided unanimously to support mandatory continuing education for Supreme Court and Court of Appeal justices. A copy of this memorandum is attached as Appendix 1 to this Invitation to Comment. The Governing Committee had decided at its meeting on February 13, 2007 to incorporate any recommendations received from the Administrative Presiding Justices Advisory Committee and the Supreme Court into its recommendation.

Regarding Administrative Office of the Courts (AOC) Personnel

In January 2007, committee staff presented several options to the AOC Executive Team¹ regarding minimum education requirements for AOC personnel. The options ranged from adopting the current requirements for AOC personnel, which include orientation and compliance courses for new personnel and at least 12 hours per year plus compliance courses for experienced personnel, to adopting the same requirements that exist for the trial courts. The Executive Team agreed that the proposal to the Judicial Council should be similar to the requirements established for the trial courts, with all personnel in a two-year continuing education period. The Executive Team also agreed that the proposal should require 50 percent more continuing education hours than is required in the trial courts, which is less than is currently required for AOC personnel. Proposed rule 10.491 has been approved by the AOC Executive Team to be included in this proposal.

General Description of Proposed Rules

The proposed rules are intended to fulfill the directions from the

¹ The AOC Executive Team consists of the Administrative Director of the Courts, the Chief Deputy Director, the Regional Administrative Directors, and the directors of all AOC divisions.

Judicial Council but are also intended to go no further than fulfilling those directions. The continuing education requirements proposed for Supreme Court and Court of Appeal justices mirror the continuing education expectations established for trial court judges. The minimum education requirements for appellate court clerk/administrators, managers, supervisors, and other personnel mirror those established for trial court executive officers, managers, supervisors, and other personnel. Summaries of the components of minimum education requirements and expectations for appellate justices, appellate court personnel, trial court judges and subordinate judicial officers, and other trial court personnel are attached as Appendix 2, as are examples of achieving the minimum education requirements for appellate justices and other personnel. The minimum education requirements for AOC personnel mirror those for trial court executive officers, managers, supervisors, and other personnel, but at a level of 50 percent more hours. Relevant key provisions from the standards on education in the Standards of Judicial Administration have been incorporated in the rules without substantive change. The “standards” related to specific responsibilities and assignments are incorporated as “recommendations” in the proposed rules, but without substantive change, and no new responsibilities or assignments have been added. A correlation table that shows where the key provisions in the Standards have been incorporated into the rules is attached as Appendix 3.

Chapter 8 of title 10, division II of the rules of court would be retitled “Minimum education requirements, expectations, and recommendations,” and would include rules 10.451–10.491. The rules would be reorganized so that the rules for justices, judges, and subordinate judicial officers would be grouped together, as would the rules for appellate court and trial court personnel. The text of the proposed new rules, revised rules, and repealed standards is included at pages 19–65 of this Invitation to Comment. The proposed rules are described more particularly below.

More Specific Description of Proposed Rules

Standards of Judicial Administration 10.10–10.15

Current standards 10.10–10.15 would be repealed. Key provisions would be incorporated into the education rules, primarily as revisions to rule 10.452, and as new rules 10.469 and 10.479. Provisions related to the elements of a comprehensive education program and the judicial

education curricula to be provided would not be carried forward; these provisions would not be relevant or necessary to the new education rules. A correlation table, referred to above, is attached as Appendix 3.

Rule 10.452

Revisions would be made to rule 10.452 to meet both directives.

- Revisions to (a)–(c) would reflect incorporation of key provisions from the Standards of Judicial Administration (standards), referred to as education recommendations.
- Revisions to (d), which would set forth the administrative responsibilities of the Chief Justice and the administrative presiding justices of the Courts of Appeal related to education, would in part reflect the proposed addition of minimum education requirements for Supreme Court and Court of Appeal justices (rule 10.461) and for appellate court clerk/administrators and managing attorneys (proposed rules 10.471–10.472). Other revisions to (d) would incorporate the following key provisions from the standards: (1) each justice should be granted at least eight court days per year to participate in continuing education; and (2) each justice should be granted leave to serve on education committees and as faculty. Finally, (d)(6) would be added to require reporting on justices’ education participation to the Judicial Council, the same as that required for trial court judges.
- The recommendation in standard 10.11(d) that each judicial officer should be granted at least eight court days per year to participate in continuing education relating to the judicial officer’s responsibilities or court assignment was first adopted by the Judicial Council in standard 25(d) effective in 1990. The Governing Committee believes that eight court days per year is still a reasonable amount to recommend so that a judicial officer would be able to maintain and improve his or her professional competence. As a point of reference, eight court days would translate to 48 hours of education and would allow participation in a five-day Continuing Judicial Studies Program (CJSP) overview course and an institute in the judge’s assignment in the same year. The minimum continuing education requirement or expectation of 30 hours in three years is just a minimum, and it is a relatively low amount compared to many other states. It compares to an average requirement of 21 hours per year for those states with continuing

judicial education requirements. One state requires 64 hours of continuing judicial education each year, and two other states require 45 hours each year.

- Proposed revisions to (e), which sets forth the administrative responsibilities of presiding judges related to education, would incorporate key provisions from the standards (parallel to those described for (d), above): (1) each judge or subordinate judicial officer should be granted at least eight court days per year to participate in continuing education; and (2) each judge or subordinate judicial officer should be granted leave to serve on education committees and as faculty.
- New subdivision (f) would set forth the administrative responsibilities of justices, clerk/administrators, managing attorneys, managers, and supervisors related to education, which would reflect in part the proposed addition of minimum education requirements for Supreme Court and Court of Appeal managers, supervisors, and other personnel (proposed rule 10.472). Subdivision (f) would also include key provisions from the standards regarding leave related to education. The provisions of (f) would be parallel to those in (g) for trial court executive officers, managers, and supervisors.
- Proposed revisions to (g), which sets forth the administrative responsibilities of trial court executive officers, managers, and supervisors related to education, would incorporate key provisions from the standards, primarily regarding the granting of leave to serve on education committees and as faculty.

Rule 10.461

Revisions would be made to rule 10.461 to set forth minimum education requirements for Supreme Court and Court of Appeal justices. The only current minimum education requirement is an orientation program for new Court of Appeal justices, which was carried forward without change from former rule 970, effective January 1, 2007. The new minimum education requirement would be 30 hours of continuing judicial education every three years, which is the same number of hours expected of trial court judges and required of subordinate judicial officers. In order for the continuing education period for Supreme Court and Court of Appeal justices to coincide with the continuing education period for trial court judges and

subordinate judicial officers, the first period for justices would be for two years (January 1, 2008 through December 31, 2009) rather than three years. The number of hours for the continuing education requirement and limitations would be prorated for this two-year period. The first three-year period would begin January 1, 2010. The other new provisions in rule 10.461 would mirror those in 10.462 for trial court judges, including tracking and reporting requirements in (e).

Rule 10.462

Revisions to (a) would add references to the education requirements for judges and subordinate judicial officers who hear family law matters set forth in rule 10.463 (proposed to be renumbered from rule 5.30), and to the education recommendations set forth in proposed new rule 10.469. Revisions to (b)(1)(A) would clarify that for purposes of the New Judge Orientation Program requirement, a judge or subordinate judicial officer is considered “new” only once.

Rule 10.463

Current rule 10.463 is proposed to be renumbered to rule 10.473. New rule 10.463, which sets forth the education requirements for judges and subordinate judicial officers who hear family law matters, is proposed to be renumbered from rule 5.30. The proposal would move rule 5.30 from title 5 of the rules of court, the family law rules, to chapter 8 of title 10 of the rules of court so that the rules on judicial education are gathered in one place in the rules. Minor revisions are proposed to make the terminology of proposed rule 10.463 more consistent with that used in the other education rules; no substantive changes are proposed.

Rule 10.469

New rule 10.469 would incorporate key provisions from the standards: the education recommendations for specific responsibilities and assignments set forth in Standards of Judicial Administration 10.12 and 10.14, which would then be repealed. The education recommendations carried forward would be those related to jury trial assignment, hearing of juvenile dependency matters, capital case assignment, and fairness and access education. The education recommendation related to the hearing of family law matters in standard 10.12(b) would not be carried forward; rule 5.30 (proposed to be renumbered rule 10.463) previously had made that recommendation superfluous. The education recommendation related to the hearing of juvenile dependency matters in (c) would be revised in being carried forward so that it is consistent

with the education requirements and expectations related to a juvenile dependency assignment in rule 10.462 and also to comply with the requirements of Welfare and Institutions Code section 304.7.

Rule 10.471

New rule 10.471 would set forth minimum education requirements for Supreme Court and Court of Appeal clerk/administrators. No formal orientation education requirement is provided, in part because this is such a small group with infrequent turnover. Otherwise the provisions mirror the existing provisions for trial court executive officers in current rule 10.463 (proposed to be renumbered to rule 10.473). The minimum education requirement would be 30 hours of continuing education every three years.

Rule 10.472

New rule 10.472 would set forth minimum education requirements for Supreme Court and Court of Appeal managers, supervisors, and other personnel. The provisions mirror the existing provisions for trial court managers, supervisors, and other personnel in current rule 10.464 (proposed to be renumbered to rule 10.474). The provisions of proposed rule 10.472 would apply to Supreme Court and Court of Appeal managing attorneys and judicial attorneys, just as current rule 10.464 applies to trial court attorneys. The minimum education requirements in rule 10.472 would include orientation education for new managers, supervisors, and other personnel and continuing education requirements of 12 hours every two years for managers and supervisors and 8 hours every two years for other court personnel.

Rule 10.473

Rule 10.473, which sets forth minimum education requirements for trial court executive officers, would be renumbered from 10.463. Revision to (a) would add a reference to education recommendations set forth in proposed new rule 10.479.

Rule 10.474

Rule 10.474, which sets forth minimum education requirements for trial court managers, supervisors, and other personnel, would be renumbered from rule 10.464. Revision to (a) would add a reference to the education recommendations set forth in proposed new rule 10.479.

Rule 10.479

New rule 10.479 would incorporate key provisions from the standards:

the education recommendations for specific responsibilities set forth in Standards of Judicial Administration 10.15, which would then be repealed. The education recommendations carried forward would be those related to education on the treatment of jurors, fairness and access education, and education on quality service to court users.

Rule 10.481

New rule 10.481, which sets forth approved providers and approved course criteria, would be renumbered from rule 10.471. Proposed revisions would add references to make clear that the provisions would apply to the new minimum education requirements for Supreme Court and Court of Appeal justices, clerk/administrators, managers, supervisors, and other personnel. Additional approved providers would be added to the list in (a) to cover providers often used by appellate justices and clerk/administrators.

Rule 10.491

New rule 10.491 would set forth minimum education requirements for Administrative Office of the Courts executives, managers, supervisors, and other employees. The provisions substantially mirror the existing provisions for trial court executive officers, managers, supervisors, and other personnel in current rules 10.463–10.464 (proposed to be renumbered to rules 10.473–10.474), except that all personnel, including executives, would have a two-year continuing education period and the continuing education hours required would be 50 percent higher.

Comments are invited on the proposed rules.

Attachment



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

MEMORANDUM

Date

March 5, 2007

Action Requested

Please review

To

Hon. Fumiko Hachiya Wasserman, Chair
Governing Committee for the Center for
Judicial Education and Research

Deadline

N/A

From

Marcia M. Taylor, Director
Appellate and Trial Court Judicial Services
Division

Contact

Marcia M. Taylor
415-865-4255 phone
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Subject

Education requirements for appellate court
justices

On February 8, 2007 the Administrative Presiding Justices (APJ) Advisory Committee, chaired by Chief Justice Ronald M. George, met and discussed the CJER Governing Committee's proposal regarding minimum education requirements and expectations for appellate justices. During this meeting, an alternative proposal was made that would make continuing education, mandatory for all appellate justices rather than an expectation as was described in the proposal. Subsequent to the meeting, each justice provided the alternative proposal to his or her associate justices and solicited input. While not all associate justices were in agreement, the APJ Committee voted unanimously on February 22nd to support the alternative proposal making the education set forth in the original proposal mandatory for all court of appeal justices.

The Supreme Court met on February 28th and, after discussion, also voted unanimously to support the alternative proposal set forth by the APJ Advisory Committee, that is, to make the education proposed mandatory for all Supreme Court justices.

Hon. Fumiko Hachiya Wasserman
March 5, 2007
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Appendix 1

Thank you for the opportunity to comment. If you have any questions or would like to discuss, please contact me.

cc: Chief Justice Ronald M. George
APJ Advisory Committee
William C. Vickrey
Ronald M. Overholt
Karen Thorson

Proposed Components of Minimum Education Requirements

Minimum Education Requirements for Justices

A. New Court of Appeal justices are required to complete:

- New Justice Orientation within two years of assuming their role

Provider: CJER

B. Experienced Supreme Court and Court of Appeal justices are required to complete:

- 30 hours of continuing education in a three-year period.

Provider: Multiple providers

Minimum Education Requirements for Appellate Judicial Attorneys

These requirements are the same as those for other court personnel, but are included here to highlight the unique organizational placement of judicial attorneys in appellate courts.

C. New Managing Attorneys are required to complete within six months the following, as appropriate, based on the discretion of the managing attorney's supervisor:

- Orientation to the Judicial Branch (if new to the judicial branch)

Provider: Local court or CJER

- Orientation to the Local Court (if new to the court)

Provider: Local court

- Orientation to Management/Supervision (if new to management/supervision)

Provider: Local court or CJER or other provider

D. Experienced Managing Attorneys are required to complete 12 hours of continuing education in a two-year period.

Provider: Multiple providers

E. New appellate judicial attorneys are required to complete within six months the following, as appropriate, based on the discretion of the attorney's supervisor:

- Orientation to the Judicial Branch

Provider: Local court or CJER

- Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)

Provider: Local court or CJER

- Orientation to the Local Court and the Specific Job

Provider: Local court

F. Experienced appellate judicial attorneys are required to complete:

- 8 hours of continuing education in a two-year period.

Provider: Multiple providers

Minimum Education Requirements for Clerk/Administrators

G. Supreme Court and Court of Appeal clerk/administrators are required to complete 30 hours of continuing education in a three-year period:

Provider: Multiple providers

Minimum Education Requirements for Appellate Managers and Supervisors

H. New court managers and supervisors are required to complete the following content-based courses, as determined applicable by the clerk/administrator or the individual's supervisor, within 6 months of assuming the role:

- Orientation to the Judicial Branch (if new to the judicial branch)

Provider: Local court or CJER

- Orientation to the Local Court (if new to the court)

Provider: Local court

- Orientation to Management/Supervision (if new to management/supervision)

Provider: Local court or CJER or other provider

I. Experienced managers and supervisors are required to complete 12 hours of continuing education in a two-year period.

Provider: Multiple providers

Minimum Education Requirements for Appellate Court Personnel

J. New court personnel are required to complete the following content-based courses, as determined applicable by the individual's supervisor, within 6 months of assuming their role:

- Orientation to the Judicial Branch

Provider: Local court or CJER

- Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)

Provider: Local court or CJER

- Orientation to the Local Court and the Specific Job

Provider: Local court

K. Experienced court personnel are required to complete 8 hours of continuing education in a two-year period.

Provider: Multiple providers

Examples of Achieving Proposed Minimum Education Requirements

Appellate Justices – 30 hours in a three-year period

| | |
|---|-------------------------------|
| Appellate Justices Institute (two days) | 12 hours |
| A California Judges Association Mid-Year | 12 hours |
| Qualifying Ethics | 5 hours |
| Sexual Harassment Prevention | <u>3 hours</u> |
| TOTAL | 32 hours (2 more than needed) |
| or | |
| Annual Conference of NAWJ (1.5 days of participation) | 9 hours |
| ABA Appellate Seminar Series (one day) | 6 hours |
| Qualifying Ethics | 5 hours |
| Sexual Harassment Prevention | 3 hours |
| New Faculty, 3 hour course (3 hours for each hour taught) | <u>9 hours</u> |
| TOTAL | 32 hours (2 more than needed) |

Appellate Clerk/Administrators – 30 hours in a three-year period

| | |
|---|-------------------------------|
| National Conference of Appellate Court Clerks Meeting | 25 hours |
| Sexual Harassment Prevention | 3 hours |
| Conflict of Interest Online Training | <u>3 hours</u> |
| TOTAL | 31 hours (1 more than needed) |

Appellate Managers/Supervisors – 12 hours in a two-year period

| | |
|---------------------------------------|----------------|
| Two regional trainings (6 hours each) | 12 hours |
| or | |
| 2 Broadcasts per year (4 total) | 6 hours |
| Sexual Harassment Prevention | 3 hours |
| An online course | <u>3 hours</u> |
| TOTAL | 12 hours |

Appellate Judicial Attorneys – 8 hours in a two-year period

| | |
|---|-------------------------------|
| Appellate Judicial Attorney Institute (participant one day) | 6 hours |
| Returning faculty, 3 hour course (2 hours for each hour taught) | <u>6 hours</u> |
| TOTAL | 12 hours (4 more than needed) |
| or | |
| State Bar Annual Meeting (two days) | 12 hours (4 more than needed) |

Appellate Court Personnel – 8 hours in a two-year period

| | |
|---|-------------------------------|
| Two broadcasts per year (4 at 1.5 hours) | 6 hours |
| Online course | <u>2 hours</u> |
| TOTAL | 8 hours |
| or | |
| California Courts Association Conference (2 days) | 12 hours (4 more than needed) |

Components of Minimum Education Requirements
Minimum Education Requirements and Expectations for Trial Court
Judges and Subordinate Judicial Officers

A. New judges and subordinate judicial officers are required to complete the following content-based courses in the timeframes noted:

- New Judge Orientation [within 6 months]
- Primary Assignment Overview [within 1 year] [Assignments are defined as civil, criminal, family, juvenile dependency, juvenile delinquency, probate, and traffic]
- Judicial College [within 2 years]

Provider: CJER

B. If changing primary assignment, experienced judges are expected to and subordinate judicial officers are required to complete the following content-based course within 6 months of taking the new assignment:

- Overview or Refresher Course in New Assignment [Assignments are defined as civil, criminal, family, juvenile dependency, juvenile delinquency, probate, and traffic](if new to the assignment or returning to that assignment after 2 years or more)

Provider: Local court, the CJA, or CJER

C. If becoming a new supervising judge, judges are expected to complete the following content-based courses within 1 year of assuming the role:

- Orientation to Administrative Role

Provider: CJER

- Orientation to Calendar Management [if determined appropriate by local court]

Provider: Local Court or CJER

D. If becoming a new presiding judge, judges are expected to complete the following content-based course within 1 year of assuming the role:

- Presiding Judges Orientation and Court Management Program

Provider: CJER

E. Experienced judges are expected to and subordinate judicial officers are required to participate in 30 hours of continuing education in a three-year cycle. [Including any hours earned in overview or refresher courses regarding a new assignment, supervising judge orientation, and presiding judge orientation]

Provider: Multiple providers

Minimum Education Requirements for Trial Court Executive Officers

F. New Court Executive Officers are required to complete the following content-based course within 1 year of assuming role:

- Presiding Judges Orientation and Court Management Program

Provider: CJER

G. Experienced Court Executive Officers are required to complete 30 hours of continuing education in a three-year cycle.

Provider: Multiple providers

Minimum Education Requirements for Trial Court Managers/Supervisors

H. New court managers and supervisors are required to complete the following content-based courses, as determined applicable by the local court, within 6 months of assuming role:

- Orientation to the Judicial Branch (if new to the judicial branch)

Provider: Local Court or CJER

- Orientation to the Local Court (if new to the court)

Provider: Local Court

- Orientation to Management/Supervision (if new to management/supervision)

Provider: Local Court or CJER or other provider

I. Experienced managers and supervisors are required to complete 12 hours of continuing education in a two-year cycle.

Provider: Multiple providers

Minimum Education Requirements for Trial Court Personnel

J. New court personnel are required to complete the following content-based courses, as determined applicable by the local court, within 6 months:

- Orientation to the Judicial Branch

Provider: Local Court or CJER

- Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)

Provider: Local Court or CJER

- Orientation to the Local Court and the Specific Job

Provider: Local Court

K. Experienced court personnel are required to complete 8 hours of continuing education in a two-year cycle.

Provider: Multiple provider

Table: Disposition of Key Provisions from Standards of Judicial Administration
Incorporated into the Rules

| Current provisions in Standards 10.10–10.15 | Carried over to proposed rules |
|--|---|
| 10.10(a) | 10.451(a) |
| 10.10(b) | 10.451(a) |
| 10.10(c) | 10.451(b) |
| 10.10(d) | --- |
| 10.11(a) | 10.451(a) |
| 10.11(b) | 10.452(d)(3), (e)(3)–(4) |
| 10.11(c) | 10.451(b) |
| 10.11(d) | 10.452(d); 10.469(a) |
| 10.11(e) | Advisory committee comment to 10.462 |
| 10.11(f) | 10.469(e) |
| 10.11(g) | 10.452(d)(3), (e)(3) |
| 10.11(h) | 10.452(d)(5), (e)(6) |
| 10.11(i) | 10.462(b) |
| 10.12 Introduction | 10.469(a) |
| 10.12(a) | 10.469(b) |
| 10.12(b) | --- |
| 10.12(c) | 10.469(c) |
| 10.13 | --- |
| 10.14(a) | --- |
| 10.14(b) | 10.469(d) |
| 10.15(a) | 10.451(a) |
| 10.15(b) | 10.452(f)(4), (g)(4) |
| 10.15(c) | 10.451(b) |
| 10.15(d) | 10.479(a), (c) |
| 10.15(e) | 10.479(a), (c) |
| 10.15(f) | 10.479(a), (c)–(d) |
| 10.15(g) | 10.479(c) |
| 10.15(h) | 10.479(b) |
| 10.15(i) | 10.452(f)(3), (g)(3) |
| 10.15(j) | 10.452(f)(5), (g)(5) |

1 Standards 10.10–10.15 would be repealed; rules 10.469, 10.471, 10.472, 10.479,
2 and 10.491 would be adopted; rules 10.452, 10.461, and 10.462 would be
3 amended; and rules 10.463, 10.473, 10.474, and 10.481 would be amended and
4 renumbered, effective January 1, 2008, to read:

5
6 **Standard 10.10. Judicial branch education**

7
8 **(a) Purpose**

9
10 ~~Judicial branch education for all trial and appellate judicial officers and court~~
11 ~~employees is essential to improving the fair, effective, and efficient~~
12 ~~administration of justice. Judicial branch education is acknowledged as a~~
13 ~~vital component in achieving the goals of the Judicial Council's Long Range~~
14 ~~Strategic Plan, including access and fairness, branch independence,~~
15 ~~modernization, and quality of justice. The Judicial Council has charged the~~
16 ~~Governing Committee of the Center for Judicial Education and Research~~
17 ~~(CJER), an advisory committee to the council, with developing and~~
18 ~~maintaining a comprehensive and quality education program on behalf of the~~
19 ~~Judicial Council for the California judicial branch.~~

20
21 *(Subd (a) amended effective January 1, 2007.)*

22
23 **(b) Education activities part of official duties**

24
25 ~~Judicial officers and court employees should consider participation in~~
26 ~~education activities to be part of their official duties. The responsibility for~~
27 ~~planning, conducting, and overseeing judicial branch education properly~~
28 ~~resides in the judicial branch. Standards for judicial branch education are~~
29 ~~stated in standards 10.11 and 10.15.~~

30
31 *(Subd (b) adopted effective January 1, 2007.)*

32
33 **(c) Education objectives**

34
35 ~~Judicial officers, court employees, educational committees, and others who~~
36 ~~plan judicial branch educational programs should work to achieve the~~
37 ~~following objectives:~~

- 38
39 ~~(1) Provide judicial officers and court employees with the knowledge,~~
40 ~~skills, and techniques required to competently perform their~~
41 ~~responsibilities fairly and efficiently;~~

- 1 (2) ~~Assist judicial officers and court employees to prevent bias in order to~~
2 ~~preserve the integrity and impartiality of the judicial system;~~
3
4 (3) ~~Promote adherence by judicial officers and court employees to the~~
5 ~~highest ideals of personal and official conduct specified in the~~
6 ~~California Code of Judicial Ethics and the Code of Ethics for the Court~~
7 ~~Employees of California;~~
8
9 (4) ~~Improve the administration of justice, reduce court delay, and promote~~
10 ~~fair and efficient management of court proceedings;~~
11
12 (5) ~~Promote standardized court practices and procedures; and~~
13
14 (6) ~~Implement the Standards of Judicial Administration recommended by~~
15 ~~the Judicial Council.~~

16
17 ~~*(Subd (c) amended and relettered effective January 1, 2007; adopted as subd (b) effective*~~
18 ~~*January 1, 1999.*~~

19
20 **~~(d) Elements of comprehensive education program~~**

21
22 ~~The Governing Committee of CJER is responsible for developing and~~
23 ~~maintaining a comprehensive and quality education program for the judicial~~
24 ~~branch. This program is to be implemented by CJER as the Education~~
25 ~~Division of the Administrative Office of the Courts. The program should be~~
26 ~~designed to meet the educational needs and requirements of judicial officers~~
27 ~~and court employees as stated in standards 10.11 and 10.15 and should~~
28 ~~include the following elements:~~

- 29
30 (1) ~~Developing curricula (instructional and participant materials) for all~~
31 ~~judicial and administrative courses along a continuum including basic~~
32 ~~and continuing education. Curricula for judicial courses should cover~~
33 ~~applicable substantive and procedural law.~~
34
35 (2) ~~Providing directly a range of education programs at the statewide,~~
36 ~~regional, and local levels, and facilitating the sharing of local and~~
37 ~~regional court education resources.~~
38
39 (3) ~~Developing skills-based curricula for judicial officers and court~~
40 ~~employees focused on learning practical skills, including management~~
41 ~~skills training and technology skills training.~~
42

- 1 ~~(4) Conducting train the trainer programs for judicial officers and court~~
2 ~~employees to develop a large group of experienced faculty that can~~
3 ~~deliver and support the delivery of curricula at the local and regional~~
4 ~~levels.~~
5
6 ~~(5) Providing technical assistance and other assistance, coordination, and~~
7 ~~support for local education programs, including curricula, written~~
8 ~~materials, videotapes, and trained faculty. This element is particularly~~
9 ~~important in providing sufficient education opportunities for court~~
10 ~~employees.~~
11
12 ~~(6) Developing and distributing a range of publications, audio and~~
13 ~~videotapes, and other education services, including both electronic and~~
14 ~~print media.~~
15
16 ~~(7) Developing alternative delivery of judicial branch education services~~
17 ~~by means of distance learning, such as delivery of live programs on the~~
18 ~~Internet, satellite broadcasting, videoconferencing, CD-ROM and~~
19 ~~Internet publishing, and computer based instruction.~~
20
21 ~~(8) Developing comprehensive materials to support ongoing efforts and~~
22 ~~provide a range of opportunities in the critical area of fairness~~
23 ~~education for judicial officers and court employees.~~
24
25 ~~(9) Developing comprehensive materials in order to provide a range of~~
26 ~~opportunities in management training and leadership development for~~
27 ~~both judicial officers and court employees, including substantial skills-~~
28 ~~based training. Course development in this area should recognize the~~
29 ~~differences in managing courts of different sizes.~~
30
31 ~~(10) Publishing and distributing on a regular basis a catalog or compendium~~
32 ~~of education opportunities available at the state and local levels,~~
33 ~~including programs, audio and videotapes, publications, and other~~
34 ~~education services.~~

35
36 ~~*(Subd (d) amended and relettered effective January 1, 2007; adopted as subd (e) effective*~~
37 ~~*January 1, 1999.*~~

38
39 ~~*Standard 10.10 amended and renumbered effective January 1, 2007; adopted as Sec. 25 effective*~~
40 ~~*January 1, 1999.*~~

41
42 ~~**Standard 10.11. General judicial education standards**~~
43

1 **(a) — Judicial education generally**

2
3 Judicial education for all judicial officers is essential to enhancing the fair
4 and efficient administration of justice. Judicial officers should consider
5 participation in judicial education activities to be an official judicial duty.
6 The responsibility for planning, conducting, and overseeing judicial
7 education properly rests in the judiciary.

8
9 *(Subd. (a) amended effective January 1, 2007; adopted effective January 1, 1990;*
10 *previously amended effective January 1, 1999.)*

11
12 **(b) — Responsibilities of presiding judges and justices**

13
14 Presiding judges and justices should establish judicial education plans for
15 their courts that facilitate the participation of judicial officers as both
16 students and faculty at judicial education programs, as prescribed by the
17 California Rules of Court and these standards. They should also use their
18 assignment powers to make appropriate replacements for judicial officers
19 assigned to special calendar courts to permit them to participate in judicial
20 education activities.

21
22 *(Subd. (b) amended effective January 1, 2007; adopted effective January 1, 1990;*
23 *previously amended effective January 1, 1999.)*

24
25 **(c) — Judicial educational objectives**

26
27 Judicial officers, educational committees, and others who plan educational
28 programs should endeavor to achieve the objectives specified in standard
29 10(c).

30
31 *(Subd. (c) amended effective January 1, 2007; adopted effective January 1, 1990;*
32 *previously amended effective January 1, 1999.)*

33
34 **(d) — Continuing judicial education**

35
36 After a judicial officer has completed the first year on the bench, the court
37 should grant the judicial officer at least eight court days per calendar year to
38 attend continuing education programs relating to the judicial officer's
39 responsibilities or court assignment. The judicial officer should participate in
40 education activities related to particular judicial assignments as specified in
41 standard 10.12.

42
43 *(Subd. (d) amended and relettered effective January 1, 2007; adopted as subd. (e) effective*
44 *January 1, 1990; previously amended effective January 1, 1999.)*

1
2 **(e) — Education for retired judges sitting on assignment**

3
4 Retired judges seeking to sit on regular court assignment should participate
5 in education activities in order to comply with the requirements of the Chief
6 Justice's Standards and Guidelines for Judges Who Serve on Assignment.

7
8 *(Subd (e) amended and relettered effective January 1, 2007; adopted as subd (f) effective*
9 *January 1, 1999.)*

10
11 **(f) — Fairness education**

12
13 In order to achieve the objective of assisting judicial officers in preserving
14 the integrity and impartiality of the judicial system through the prevention of
15 bias, all judicial officers should receive education on fairness. The education
16 should include instruction on race and ethnicity, gender, sexual orientation,
17 persons with disabilities, and sexual harassment.

18
19 *(Subd (f) amended and relettered effective January 1, 2007; adopted as subd (g) January*
20 *1, 1999.)*

21
22 **(g) — Service as faculty and education committee members**

23
24 In addition to the educational leave required or authorized under rule 10.603
25 or subdivision (d) or (f) of this standard, a judicial officer should be granted
26 leave to serve on judicial education committees and as a faculty member at
27 judicial education programs when the judicial officer's services have been
28 requested for these purposes by the Judicial Council, the California Judges
29 Association, CJER, or the judicial officer's court. If a court's calendar would
30 not be adversely affected, the court should grant additional leave for a
31 judicial officer to serve on an educational committee or as a faculty member
32 for any judicial education provider that requests the judicial officer's
33 services.

34
35 *(Subd. (g) amended and relettered effective January 1, 2007; adopted as subd (f) effective*
36 *January 1, 1990; previously amended and relettered subd (h) effective January 1, 1999.)*

37
38 **(h) — Reimbursement of expenses**

39
40 A judicial officer should be reimbursed, in accordance with applicable state
41 or local rules, by his or her court for actual and necessary travel and
42 subsistence expenses incurred in attending a judicial education program as a
43 student participant, except to the extent that the judicial education provider

1 sponsoring the program pays the expenses. Every court's budget should
2 provide for those expenses.

3
4 *(Subd (h) amended and relettered effective January 1, 2007; adopted as subd (g) effective*
5 *January 1, 1990; previously amended and relettered subd (i) effective January 1, 1999.)*
6

7 **(i) Application of standard to commissioners and referees**

8
9 As used in this standard, unless the context or subject matter otherwise
10 requires, "judicial officers" means justices, judges, commissioners, and
11 referees who are court employees not engaged in the practice of law.

12
13 *(Subd (i) amended and relettered effective January 1, 2007; adopted as subd (h) effective*
14 *January 1, 1990; previously amended and relettered subd (j) effective January 1, 1999.)*
15

16 *Standard 10.11 amended and renumbered effective January 1, 2007; adopted as Sec. 25 effective*
17 *January 1, 1990; previously amended and renumbered as Sec. 25.1 effective January 1, 1999.*
18

19 **Advisory Committee Comment**

20
21 Subdivision (a). This provision recognizes that judicial officers must develop, maintain, and
22 improve their professional competence by participating in judicial orientation and training
23 programs when they first assume their judicial positions, and thereafter in continuing education
24 programs throughout their judicial careers.
25

26 The judiciary will assess its own educational needs and establish appropriate programs and tools
27 for meeting those needs. Various judicial organizations in this state, such as the Administrative
28 Office of the Courts, the California Judges Association, and the Center for Judicial Education and
29 Research, provide judicial officers with comprehensive educational opportunities in all areas of
30 their judicial responsibilities. These organizations typically use experienced judicial officers to
31 plan, conduct, oversee, and evaluate the effectiveness of their programs. Judicial officers
32 determine all aspects of the programs offered by the California Judges Association. The Center
33 for Judicial Education and Research is governed by an 11 member governing committee
34 appointed by the Chief Justice of California as Chair of the Judicial Council. Four of the judicial
35 members are nominated by the California Judges Association and four are appointed on behalf of
36 the Judicial Council; three court administrator members are appointed on behalf of the Judicial
37 Council. Subject to the Judicial Council's authority, the committee is responsible for determining
38 matters relating to the center's judicial branch education policies and for making
39 recommendations to the Judicial Council for action. The center's educational activities are
40 planned, conducted, and overseen by a broad base of judicial officers and administrators serving
41 on planning committees under the governing committee's supervision.
42

43 Subdivision (b). Although caseloads and court calendars may make it difficult for presiding
44 judges and justices to permit judicial officers from their courts to participate in judicial education
45 programs, their cooperation and preparation of orderly judicial education plans for all the judicial
46 officers of their respective courts is important to the ultimate effectiveness of judicial education in
47 this state.
48

1 Judicial officers who serve as faculty at judicial education programs are assumed to derive
2 educational benefits comparable to, if not greater than, those received by student participants.

3
4 A judicial officer assigned to a special calendar court, such as family or juvenile, may not be able
5 to participate in judicial education programs unless another judicial officer is assigned to handle
6 that calendar while he or she is away.

7
8 Subdivision (d). This provision specifies the minimum annual continuing education relating to a
9 judicial officer's responsibilities or court assignment. A judicial officer with two or more
10 assignments or special responsibilities, such as a presiding or supervising judge, may require
11 additional continuing education. In addition, if a court has established its own local judicial
12 education program, judicial officers of that court are encouraged to avail themselves of local
13 educational programs, materials, and liaison projects. Although (d) refers to court days, it
14 assumes that judicial officers will continue to attend weekend courses.

15
16 Subdivision (g). This provision recognizes the importance of judicial officers being able to serve
17 as lecturers, seminar leaders, consultants, and committee members for judicial education
18 programs and projects. Faculty service is a significant educational experience for the faculty
19 member and a significant contribution to the maintenance of necessary educational standards for
20 the California judiciary.

21
22 **Standard 10.12. Judicial education for judicial officers in particular judicial**
23 **assignments**

24
25 Each judicial officer, as part of his or her continuing judicial education, should
26 participate in educational activities related to the following particular judicial
27 assignments:

28
29 **(a) — Jury trials**

30
31 A judicial officer assigned to jury trials should use Center for Judicial
32 Education and Research (CJER) educational materials or other appropriate
33 materials or attend CJER or other appropriate educational programs devoted
34 to the conduct of jury voir dire and the treatment of jurors.

35
36 **(b) — Family court**

37
38 Every judicial officer whose principal judicial assignment is to hear family
39 law matters or who is the sole judicial officer hearing such matters should
40 attend the following judicial education programs:

41
42 **(1) — Basic education**

43
44 Within three months of beginning a family law assignment, or within
45 one year of beginning a family law assignment in courts with five or
46 fewer judicial officers, the judicial officer should attend a basic

1 educational program on California family law and procedure designed
2 primarily for judicial officers. A judicial officer who has completed the
3 basic educational program need not attend the program again. All other
4 judicial officers who hear family law matters, including retired judicial
5 officers who sit on court assignment, should participate in appropriate
6 family law educational programs.

7
8 *(2) — Continuing education*

9
10 The judicial officer should attend a periodic update on new
11 developments in California family law and procedure.

12
13 *(3) — Other education*

14
15 To the extent that judicial time and resources are available, the judicial
16 officer should attend additional educational programs on other aspects
17 of family law, including interdisciplinary subjects relating to the
18 family.

19
20 *(Subd (b) amended effective January 1, 2007.)*

21
22 **(e) — Juvenile dependency court**

23
24 Each judicial officer whose principal judicial assignment is to hear juvenile
25 dependency matters or who is the sole judicial officer hearing juvenile
26 dependency matters should attend judicial education programs as follows:

27
28 *(1) — Basic education*

29
30 Within one year of beginning a juvenile dependency assignment, the
31 judicial officer should receive basic education on California juvenile
32 dependency law and procedure designed primarily for judicial officers.
33 All other judicial officers who hear juvenile dependency matters,
34 including retired judicial officers who sit on court assignment, should
35 participate in appropriate educational programs, including written
36 materials and videotapes designed for self study.

37
38 *(2) — Continuing education*

39
40 The judicial officer should annually attend the CJER Juvenile Law and
41 Procedure Institute and one additional education program related to
42 juvenile dependency law, including programs sponsored by CJER, the
43 California Judges Association, the Judicial Council, the National

1 Judicial College, the National Council of Juvenile and Family Court
2 Judges, and other programs approved by the presiding judge. The use
3 of video and audiotapes may substitute for attendance.

4
5 ~~Standard 10.12 amended and renumbered effective January 1, 2007; adopted as Sec. 25.2~~
6 ~~effective January 1, 1999.~~

7
8 **Standard 10.13. Judicial education curricula provided in particular judicial**
9 **assignments**

10
11 The Center for Judicial Education and Research (CJER) should provide a
12 comprehensive educational curriculum for judicial officers in the following
13 particular judicial assignments, corresponding to those identified in standard
14 10.12:

15
16 (1) — *Jury trials*

17
18 CJER should develop and provide to every California trial court
19 educational materials on jury selection and the treatment of jurors for
20 use and review by judicial officers, court administrators, and jury staff
21 employees.

22
23 (2) — *Family court*

24
25 (A) — *Comprehensive curriculum*

26
27 CJER should provide a comprehensive educational curriculum for
28 judicial officers who hear family law matters. This curriculum
29 should include instruction in California law and procedure
30 relevant to family matters, the effects of gender on family law
31 proceedings, the economic effects of dissolution, and
32 interdisciplinary subjects relating to family court matters,
33 including but not limited to child development, substance abuse,
34 sexual abuse of children, domestic violence, child abuse and
35 neglect, juvenile justice, adoption, and the social service and
36 mental health systems. It should include videotaped presentations
37 and written materials that can be provided for local court use.

38
39 (B) — *Periodic updates*

40
41 CJER should conduct periodic educational programs that provide
42 updates on new developments, innovative court practices, and fair
43 and efficient procedures in family law.

1
2 ~~(3) — Juvenile dependency court~~

3
4 ~~(A) — Comprehensive curriculum~~

5
6 ~~CJER should provide a comprehensive curriculum on juvenile~~
7 ~~dependency law and procedure for judicial officers who hear~~
8 ~~juvenile dependency matters. The curriculum should include:~~

9
10 ~~(i) — California law and procedure relevant to juvenile~~
11 ~~dependency matters;~~

12
13 ~~(ii) — Interagency relationships;~~

14
15 ~~(iii) — The effects of gender, race, and ethnicity on juvenile~~
16 ~~dependency proceedings; and~~

17
18 ~~(iv) — Interdisciplinary subjects relating to juvenile law matters,~~
19 ~~including child development, child witness, substance abuse,~~
20 ~~family violence, child abuse (including sexual abuse),~~
21 ~~adoption, and stress related to the juvenile court assignment.~~
22 ~~The curriculum should also include an instruction~~
23 ~~component at the judicial college and materials for local~~
24 ~~court use and self-study.~~

25
26 ~~(B) — Periodic updates~~

27
28 ~~CJER should conduct an annual educational program that~~
29 ~~provides an update on new developments, innovative programs~~
30 ~~and court practices, and fair and efficient procedures in juvenile~~
31 ~~law.~~

32
33 *Standard 10.12 amended and renumbered effective January 1, 2007; repealed and adopted as*
34 *Sec. 25.3 effective January 1, 1999.*

35
36 **Standard 10.14. Judicial education for judges hearing capital cases**

37
38 **(a) — Comprehensive curriculum**

39
40 ~~The Center for Judicial Education and Research (CJER) should provide a~~
41 ~~comprehensive curriculum and periodic updates for training on California~~
42 ~~law and procedure relevant to capital cases. The periodic update may be~~

1 provided through actual classroom instruction or through video, audio, or
2 other media as determined by CJER.

3
4 *(Subd. (a) amended effective January 1, 2007.)*
5

6 **~~(b) Comprehensive training~~**

7
8 A judge assigned to a capital case should attend the comprehensive training
9 specified in (a) before commencement of the trial. A judge with a subsequent
10 assignment to a capital case should complete the periodic update course
11 described in (a) within two years before the commencement of the trial.

12
13 *(Subd. (b) amended effective January 1, 2007.)*
14

15 *Standard 10.14 amended and renumbered effective January 1, 2007; adopted as Sec. 25.4*
16 *effective January 1, 2004.*
17

18 **~~Standard 10.15. General court employee education standards~~**

19
20 **~~(a) Court employee education generally~~**
21

22 Court employee education for all trial and appellate court employees is
23 essential to enhancing the fair and efficient administration of justice. The
24 Judicial Council strives to reach all court employees with educational
25 opportunities. Court employees should consider participation in judicial
26 branch education activities to be an official duty. The responsibility for
27 planning, conducting, and overseeing judicial branch education properly
28 rests in the judicial branch.

29
30 *(Subd. (a) amended effective January 1, 2007.)*
31

32 **~~(b) Responsibilities of executive and administrative officers~~**
33

34 Executive and administrative officers should develop, as a part of the annual
35 budget process for their courts, annual education plans that facilitate
36 employees' participation as both students and faculty in judicial branch
37 education programs, as prescribed by this standard. The plans may designate,
38 either locally or regionally, a training specialist to coordinate the
39 implementation of the plans. The plans should include methods of measuring
40 the effectiveness of education programs. A copy of the locally developed
41 education plans should be forwarded to the Center for Judicial Education and
42 Research (CJER), which will serve as a depository.

43
44 *(Subd. (b) amended effective January 1, 2007.)*

1
2 **(e) — Court employee education objectives**

3
4 Court employee educational committees and others who plan educational
5 programs should endeavor to achieve the objectives specified in standard
6 10.10(e).

7
8 *(Subd. (e) amended effective January 1, 2007.)*
9

10 **(d) — Executive and administrative officer education**

11
12 (1) — Executive and administrative officers should participate in a minimum
13 of one core course offered by the Judicial Council through CJER (e.g.,
14 a course in leadership, organizational change, technology, budgeting,
15 community and media relations, caseload management, management
16 teams, team building, or strategic planning) within one year of
17 appointment.

18
19 (2) — Executive and administrative officers should annually participate in a
20 minimum of one continuing education course or conference (e.g.,
21 California Judicial Administration Conference or Continuing Judicial
22 Studies Program) offered by the Judicial Council through CJER or by
23 other providers.

24
25 (3) — Executive and administrative officers should participate in a course on
26 fairness and diversity offered locally or by the Judicial Council through
27 CJER.

28
29 (4) — Executive and administrative officers should make use of alternative
30 methods of delivery of educational programming offered locally or by
31 the Judicial Council through CJER.

32
33 (5) — Executive and administrative officers should make training available to
34 their employees on a local or regional level. This training should
35 include an orientation program for all new employees on the
36 background, history, and structure of the judicial branch, including the
37 Judicial Council and the Administrative Office of the Courts.

38
39 (6) — Executive and administrative officers retain authority to determine
40 whether employees may attend an education program, based on the
41 program's quality and relevance.

42
43 *(Subd. (d) amended effective January 1, 2007.)*

1
2 **(e) — Manager education**

3
4 (1) — ~~Managers should participate annually in a minimum of one core course~~
5 ~~on leadership, management, or supervision offered locally or by the~~
6 ~~Judicial Council through CJER.~~

7
8 (2) — ~~Managers should participate in a course on fairness and diversity~~
9 ~~offered locally or by the Judicial Council through CJER.~~

10
11 *(Subd (e) amended effective January 1, 2007.)*

12
13 **(f) — Employee education**

14
15 (1) — ~~Employees should participate within the first year of employment in a~~
16 ~~local orientation program that includes the background, history, and~~
17 ~~structure of the judicial branch.~~

18
19 (2) — ~~Employees should participate in a minimum of one continuing~~
20 ~~education course annually. This course may be offered by the Judicial~~
21 ~~Council through CJER, statewide by the clerks' associations, or locally~~
22 ~~by other providers. It may include a college course that is work related.~~

23
24 (3) — ~~Employees should participate in a course on fairness and diversity~~
25 ~~offered locally or by the Judicial Council through CJER.~~

26
27 (4) — ~~Employees should participate in a course covering appropriate skills~~
28 ~~and conduct for working with court customers offered locally or by the~~
29 ~~Judicial Council through CJER.~~

30
31 (5) — ~~Eligible employees are encouraged to participate in the Court Clerk~~
32 ~~Training Institute within five years of appointment.~~

33
34 *(Subd (f) amended effective January 1, 2007.)*

35
36 **(g) — Fairness education**

37
38 ~~In order to achieve the objective of assisting court employees in preserving~~
39 ~~the integrity and impartiality of the judicial system through the prevention of~~
40 ~~bias, all court employees should receive education on fairness. The education~~
41 ~~should include instruction on race and ethnicity, gender, sexual orientation,~~
42 ~~persons with disabilities, and sexual harassment.~~

1 *(Subd. (g) amended effective January 1, 2007.)*

2
3 **(h) — Education on treatment of jurors**

4
5 The presiding judge of each trial court should ensure that all court
6 administrators and all court employees who interact with jurors are properly
7 trained in the appropriate treatment of jurors. Court administrators and jury
8 staff employees should use CJER educational materials or other appropriate
9 materials or attend CJER programs or other appropriate programs devoted to
10 the treatment of jurors.

11
12 **(i) — Service as faculty and committee members**

13
14 In addition to participating as students in educational activities, court
15 employees should be allowed and encouraged to serve on court employee
16 education committees and as faculty at court employee education programs
17 when an employee's services have been requested for these purposes by the
18 Judicial Council, CJER, or the court.

19
20 **(j) — Reimbursement of expenses**

21
22 A court employee should be reimbursed, in accordance with applicable state
23 or local rules, by his or her court for actual and necessary travel and
24 subsistence expenses incurred in attending a court employee education
25 program as a student participant under this standard, except to the extent that
26 the education provider sponsoring the program pays the expenses. Every
27 court's budget should provide for those expenses.

28
29 *(Subd. (j) amended effective January 1, 2007.)*

30
31 *Standard 10.15 amended and renumbered effective January 1, 2007; adopted as Sec. 25.6*
32 *effective January 1, 1999.*

33
34 **Advisory Committee Comment**

35
36 Subdivision (a). This subdivision recognizes that court employees should develop, maintain, and
37 improve their professional competence by participating in training programs when they assume
38 their positions and thereafter in continuing education programs throughout their careers. The
39 judicial branch should assess its own educational needs and establish appropriate programs.

40
41 Subdivision (b). The educational plans provided for in the subdivision are important for the
42 ultimate effectiveness of judicial branch education in this state. Court employees who serve as
43 faculty at education programs are assumed to derive educational benefits comparable to, if not
44 greater than, those received by student participants.

1 Chapter 8. Minimum Education Requirements, ~~and Expectations,~~ and
2 Recommendations
3

4 Rule 10.452. Minimum education requirements, ~~and expectations,~~ and
5 recommendations
6

7 (a) Purpose
8

9 Justices, judges, and subordinate judicial officers are entrusted by the public
10 with the impartial and knowledgeable handling of proceedings that affect the
11 freedom, livelihood, and happiness of the people involved. Court personnel
12 assist justices, judges, and subordinate judicial officers in carrying out their
13 responsibilities and must provide accurate and timely services to the public.
14 Each justice, judge, and subordinate judicial officer and each court staff
15 member is responsible for maintaining and improving his or her professional
16 competence. To assist them in enhancing their professional competence, the
17 judicial branch will develop and maintain a comprehensive and high-quality
18 education program, including minimum education requirements, ~~and~~
19 expectations, and recommendations, to provide educational opportunities for
20 all justices, judges, subordinate judicial officers, and court personnel.
21

22 (b) Goals
23

24 The minimum education requirements, ~~and expectations,~~ and
25 recommendations set forth in rules 10.461–10.479~~464~~ are intended to
26 achieve two complementary goals:
27

- 28 (1) To ensure that both individuals who are new to the bench or the court
29 and those who are experienced on the bench or court but are beginning
30 a new assignment or role obtain education on the tasks, skills, abilities,
31 and knowledge necessary to be successful in the new roles; and
32
- 33 (2) To establish broad parameters, based on time, for continuing education
34 for individuals who are experienced both on the bench or court and in
35 their assignments or roles, preserving the ability of the individual,
36 working with the ~~presiding judge or court executive officer~~ individual
37 who oversees his or her work, to determine the appropriate content and
38 provider.
39

40 (c) Relationship of minimum education requirements and expectations to
41 education recommendations ~~standards~~
42

1 The education requirements and expectations set forth in rules 10.461–
2 10.462~~464~~ and 10.471–10.474 are minimums. Justices, judges, and
3 subordinate judicial officers should participate in more judicial education
4 than is required and expected, related to each individual’s responsibilities
5 and particular judicial assignment or assignments and in accordance with the
6 judicial education recommendations standards-set forth in rule
7 10.469standards 10.1010.14 of the California Standards of Judicial
8 Administration. Additional education requirements related to the specific
9 responsibility of hearing family law matters are set forth in rule 10.463.
10 Clerk/administrators, Court executive officers, and other court personnel
11 should participate in more education than is required, related to each
12 individual’s responsibilities and in accordance with the education
13 recommendations standards-set forth in rule 10.479standard 10.15 of the
14 California Standards of Judicial Administration.

15
16 **(d) Responsibilities of Chief Justice and administrative presiding justices**

17
18 The Chief Justice and Each administrative presiding justice:

- 19
20 (1) Must grant sufficient leave to new-Supreme Court and Court of Appeal
21 justices, and the clerk/administrator, and the managing attorney to
22 enable them to complete the minimum education requirements stated in
23 rules 10.461, 10.471~~3~~, and 10.472, respectively;
24
25 (2) To the extent compatible with the efficient administration of justice,
26 must grant to all justices, and the clerk/administrator, and the managing
27 attorney sufficient leave to participate in education programs consistent
28 with the education recommendations standards-stated in rules 10.469
29 and 10.479.10.11 of the Standards of Judicial Administration; After a
30 justice has completed any new justice education required under rule
31 10.461 or after a justice has completed the first year on the bench, the
32 Chief Justice or the administrative presiding justice should grant each
33 justice at least eight court days per calendar year to participate in
34 continuing education relating to the justice’s responsibilities;
35
36 (3) In addition to the educational leave required under (d)(1)–(2), should
37 grant leave to a justice, clerk/administrator, or managing attorney to
38 serve on education committees and as a faculty member at education
39 programs when the individual’s services have been requested for these
40 purposes by the Administrative Office of the Courts, the California
41 Judges Association, or the court. If a court’s calendar would not be
42 adversely affected, the court should grant additional leave for a justice,
43 the clerk/administrator, or the managing attorney to serve on an

1 educational committee or as a faculty member for judicial branch
2 education;

3
4 (43) Should establish an education plan for his or her court to facilitate the
5 involvement of justices, the clerk/administrator, and the managing
6 attorney as both participants and faculty in education activities;

7
8 (54) Must ensure that Court of Appeal justices, the clerk/administrator, and
9 the managing attorney are reimbursed by their court in accordance with
10 the travel policies issued by the Administrative Office of the Courts for
11 travel expenses incurred in attending in-state education programs as a
12 participant, except to the extent that: (i) certain expenses are covered by
13 the Administrative Office of the Courts; or (ii) the education provider
14 or sponsor of the program pays the expenses. Provisions for these
15 expenses must be part of every court's budget. The Chief Justice or the
16 administrative presiding justice may approve reimbursement of travel
17 expenses incurred by Court of Appeal justices, the clerk/administrator,
18 and the managing attorney in attending out-of-state education programs
19 as a participant.; and

20
21 (6) Must retain the records and cumulative histories of participation
22 provided by justices. These records and cumulative histories are subject
23 to periodic audit by the Administrative Office of the Courts. The Chief
24 Justice and the administrative presiding justice must report the data
25 from the records and cumulative histories on an aggregate basis to the
26 Judicial Council, on a form provided by the Judicial Council, within six
27 months after the end of each three-year period.

28
29 **(e) Responsibilities of presiding judges**

30
31 Each presiding judge:

32
33 (1) Must grant sufficient leave to all judges and subordinate judicial
34 officers and to the court executive officer to enable them to complete
35 the minimum education requirements and expectations stated in rules
36 10.462 and 10.473~~463~~, respectively;

37
38 (2) To the extent compatible with the efficient administration of justice,
39 must grant to all judges and subordinate judicial officers and to the
40 court executive officer sufficient leave to participate in education
41 programs consistent with the education recommendations standards
42 10.1110.14 of the California Standards of Judicial Administration
43 stated in rules 10.469 and 10.479. After a judge or subordinate judicial

1 officer has completed the new judge education required under rule
2 10.462, the presiding judge should grant each judge and subordinate
3 judicial officer at least eight court days per calendar year to participate
4 in continuing education relating to the judge or subordinate judicial
5 officer’s responsibilities or current or future court assignment;
6

7 (3) In addition to the educational leave required or authorized under rule
8 10.603 or (e)(1)–(2), should grant leave to a judge or subordinate
9 judicial officer or the executive officer to serve on education
10 committees and as a faculty member at education programs when the
11 judicial officer’s or executive officer’s services have been requested for
12 these purposes by the Judicial Council, the California Judges
13 Association, or the court. If a court’s calendar would not be adversely
14 affected, the presiding judge should grant additional leave for a judge
15 or subordinate judicial officer or executive officer to serve on an
16 educational committee or as a faculty member for judicial branch
17 education;
18

19 (43) Should establish an education plan for his or her court to facilitate the
20 involvement of judges, subordinate judicial officers, and the executive
21 officer as both participants and faculty in education activities and
22 should consult with each judge, each subordinate judicial officer, and
23 the executive officer regarding their education needs and requirements
24 related to their current and future assignments;
25

26 (54) Should use his or her assignment powers to enable all judges and
27 subordinate judicial officers, particularly those assigned to specific
28 calendar courts, to participate in educational activities;
29

30 (65) Must ensure that judges, subordinate judicial officers, and the court
31 executive officer are reimbursed by their court in accordance with the
32 Trial Court Financial Policies and Procedures Manual for travel
33 expenses incurred in attending in-state education programs as a
34 participant, except to the extent that: (i) certain expenses are covered by
35 the Administrative Office of the Courts; or (ii) the education provider
36 or sponsor of the program pays the expenses. Provisions for these
37 expenses must be part of every court’s budget. The presiding judge
38 may approve reimbursement of travel expenses incurred by judges,
39 subordinate judicial officers, and the court executive officer in
40 attending out-of-state education programs as a participant; and
41

42 (76) Must retain the records and cumulative histories of participation
43 provided by judges. These records and cumulative histories are subject

1 to periodic audit by the Administrative Office of the Courts (AOC).
2 The presiding judge must report the data from the records and
3 cumulative histories on an aggregate basis to the Judicial Council, on a
4 form provided by the Judicial Council, within six months after the end
5 of each three-year period.

6
7 **(f) Responsibilities of Supreme Court and Court of Appeal justices,**
8 **clerk/administrators, managing attorneys, managers, and supervisors**

9
10 Each court's justices, clerk/administrator, managing attorney, managers, and
11 supervisors:

- 12
13 (1) Must grant sufficient leave to all court personnel to enable them to
14 complete the minimum education requirements stated in rule 10.472;
15
16 (2) To the extent compatible with the efficient administration of justice,
17 must grant to all court personnel sufficient leave to participate in
18 education programs consistent with the education recommendations
19 stated in rule 10.479;
20
21 (3) Should allow and encourage court personnel, in addition to
22 participating as students in educational activities, to serve on court
23 personnel education committees and as faculty at court personnel
24 education programs when an employee's services have been requested
25 for these purposes by the Administrative Office of the Courts or the
26 court; and
27
28 (4) Should establish an education plan for their court to facilitate the
29 involvement of court personnel as both participants and faculty in
30 educational activities, and should consult with each court staff member
31 regarding his or her education needs and requirements and professional
32 development.
33
34 (5) Must ensure that managers, supervisors, and other court personnel are
35 reimbursed by their court in accordance with the travel policies issued
36 by the Administrative Office of the Courts for travel expenses incurred
37 in attending in-state education programs as a participant, except to the
38 extent that: (i) certain expenses are covered by the Administrative
39 Office of the Courts; or (ii) the education provider or sponsor of the
40 program pays the expenses. Provisions for these expenses must be part
41 of every court's budget. The clerk/administrator may approve
42 reimbursement of travel expenses incurred by managers, supervisors,

1 and other court personnel in attending out-of-state education programs
2 as a participant.

3
4 **(gf) Responsibilities of trial court executive officers, managers, and**
5 **supervisors**

6
7 Each trial court’s executive officer, managers, and supervisors:

- 8
9 (1) Must grant sufficient leave to all court personnel to enable them to
10 complete the minimum education requirements stated in rule
11 10.474464;
- 12
13 (2) To the extent compatible with the efficient administration of justice,
14 must grant to all court personnel sufficient leave to participate in
15 education programs consistent with the education recommendations
16 standards stated in rule 10.479; 10.15 of the California Standards of
17 Judicial Administration; and
- 18
19 (3) Should allow and encourage court personnel, in addition to
20 participating as students in education activities, to serve on court
21 personnel education committees and as faculty at court personnel
22 education programs when an employee’s services have been requested
23 for these purposes by the Judicial Council or the court;
- 24
25 (43) Should establish an education plan for their court to facilitate the
26 involvement of court personnel as both participants and faculty in
27 educational activities, and should consult with each court staff member
28 regarding his or her education needs and requirements and professional
29 development; and
- 30
31 (54) Must ensure that managers, supervisors, and other court personnel are
32 reimbursed by their court in accordance with the Trial Court Financial
33 Policies and Procedures Manual for travel expenses incurred in
34 attending in-state education programs as a participant, except to the
35 extent that: (i) certain expenses are covered by the Administrative
36 Office of the Courts; or (ii) the education provider or sponsor of the
37 program pays the expenses. Provisions for these expenses must be part
38 of every court’s budget. The court executive officer may approve
39 reimbursement of travel expenses incurred by managers, supervisors,
40 and other court personnel in attending out-of-state education programs
41 as a participant.
42

1 **Rule 10.461. New Minimum education requirements for Supreme Court and**
2 **Court of Appeal justices**

3
4 **(a) Applicability**

5
6 All California Court of Appeal justices must complete the minimum judicial
7 education requirements for new justices under (b) and all Supreme Court and
8 Court of Appeal justices must complete minimum continuing education
9 requirements as outlined under (c). All justices should participate in more
10 judicial education than is required, related to each individual's
11 responsibilities and in accordance with the judicial education
12 recommendations set forth in rule 10.469.

13
14 **(b) Content-based requirement**

15
16 Each new Court of Appeal justice, within two years of confirmation of
17 appointment, must attend a new appellate judge orientation program
18 sponsored by a national provider of appellate orientation programs or by the
19 Administrative Office of the Courts' Education Division/Center for Judicial
20 Education and Research.

21
22 **(c) Hours-based continuing education**

23
24 (1) Each justice must complete 30 hours of continuing judicial education
25 every three years, beginning on the dates outlined:

26
27 (A) A new Supreme Court justice enters the three-year continuing
28 education period on January 1 of the year following confirmation
29 of appointment, and a new Court of Appeal justice enters the
30 three-year continuing education period on January 1 of the year
31 following completion of the required new justice education;
32 continuing education requirements are prorated based on the
33 number of years remaining in the three-year period.

34
35 (B) For all other justices, the first continuing education period begins
36 January 1, 2008.

37
38 (C) The first continuing education period for Supreme Court and
39 Court of Appeal justices is for two years from January 1, 2008,
40 through December 31, 2009, rather than three years. The
41 continuing education requirements and limitations in (c) are
42 consequently prorated for this two-year period. The first three-
43 year period then begins January 1, 2010.

1
2 (2) The following education applies toward the required 30 hours of
3 continuing judicial education:

4
5 (A) Any education offered by a provider listed in rule 10.481(a) and
6 any other education, including education taken to satisfy a
7 statutory or other education requirement, approved by the Chief
8 Justice or the administrative presiding justice as meeting the
9 criteria listed in rule 10.481(b).

10
11 (B) Each hour of participation in traditional (face-to-face) education,
12 distance education such as broadcast and videoconference
13 courses, online coursework, and self-directed study counts toward
14 the continuing education requirement on an hour-for-hour basis.
15 The hours applied for participation in online coursework and self-
16 directed study are limited to a combined total of 7 hours in each
17 three-year period; this limit is prorated for individuals who enter
18 the three-year period after it has begun.

19
20 (C) A justice who serves as faculty for a California court-based
21 audience (i.e., justices, judges, subordinate judicial officers,
22 temporary judges, or court personnel) may apply the following
23 hours of faculty service: 3 hours for each hour of presentation the
24 first time a given course is presented and 2 hours for each hour of
25 presentation each subsequent time that course is presented. The
26 hours applied for faculty service are limited to 15 in each three-
27 year period; this limit is prorated for individuals who enter the
28 three-year period after it has begun.

29
30 **(d) Extension of time**

31
32 (1) For good cause, the Chief Justice or the administrative presiding justice
33 may grant a one-year extension of time to complete the continuing
34 education requirement in (c).

35
36 (2) If the Chief Justice or the administrative presiding justice grants a
37 request for an extension of time, the justice, in consultation with the
38 Chief Justice or the administrative presiding justice, should also pursue
39 interim means of obtaining relevant educational content.

40
41 (3) An extension of time to complete the hours-based continuing education
42 requirement does not affect what is required in the next three-year
43 period.

1
2 **(e) Records and summaries of participation for justices**

3
4 Each justice is responsible for:

5
6 (1) Tracking his or her own participation in education and keeping a record
7 of participation, on a form provided by the Judicial Council, for three
8 years after each course or activity that is applied toward the
9 requirements;

10
11 (2) At the end of each year, giving the Chief Justice or the administrative
12 presiding justice a copy of his or her record of participation in
13 education for that year, on a form provided by the Judicial Council; and

14
15 (3) At the end of each three-year period, giving the Chief Justice or the
16 administrative presiding justice a copy of his or her record of
17 participation in education for that year and a cumulative history of
18 participation for that three-year period, on a form provided by the
19 Judicial Council.

20
21 **Advisory Committee Comment**

22
23 The requirements formerly contained in subdivision (e)(2) of rule 970, which has been repealed,
24 are carried forward without change in rule 10.461(b).

25
26 **Rule 10.462. Minimum education requirements and expectations for Trial**
27 **court judges and subordinate judicial officers**

28
29 **(a) Applicability**

30
31 All California trial court judges must complete the minimum judicial
32 education requirements for new judges under (c)(1) and are expected to
33 participate in continuing education as outlined under (d). All subordinate
34 judicial officers must complete the minimum education requirements for new
35 subordinate judicial officers under (c)(1) and for continuing education as
36 outlined under (d). All trial court judges and subordinate judicial officers
37 who hear family law matters must complete additional education
38 requirements set forth in rule 10.463. All trial court judges and subordinate
39 judicial officers should participate in more judicial education than is required
40 and expected, related to each individual's responsibilities and particular
41 judicial assignment or assignments and in accordance with the judicial
42 education recommendations set forth in rule 10.469.
43

1 (b) **Definitions**

2
3 Unless the context or subject matter otherwise requires, “subordinate judicial
4 officers” as used in this rule means subordinate judicial officers as defined in
5 rule 10.701.

6
7 (c) **Content-based requirements**

8
9 (1) Each new trial court judge and subordinate judicial officer must
10 complete the following “new judge education” provided by the
11 Administrative Office of the Courts’ Education Division/Center for
12 Judicial Education and Research (CJER) as follows:

13
14 (A) The New Judge Orientation Program within six months of taking
15 the oath as a judge or subordinate judicial officer. For purposes of
16 the New Judge Orientation Program, a judge or subordinate
17 judicial officer is considered “new” only once, and any judge or
18 subordinate officer who has completed the New Judge Orientation
19 Program, as required under this rule or under former rule 970, is
20 not required to complete the program again. A judge or
21 subordinate officer who was appointed, elected, or hired before
22 rule 970 was adopted on January 1, 1996 is not required to
23 complete the program.

24
25 (B) An orientation course in his or her primary assignment (civil,
26 criminal, family, juvenile delinquency or dependency, probate, or
27 traffic) within one year of taking the oath as a judge or
28 subordinate judicial officer; and

29
30 (C) The B. E. Witkin Judicial College of California within two years
31 of taking the oath as a judge or subordinate judicial officer.

32
33 (2) Each new supervising judge is expected to complete the following
34 education:

35
36 (A) For a judge who has administrative responsibility, CJER’s
37 Supervising Judges Overview course within one year of
38 beginning the supervising judge role, preferably before beginning
39 the role;

40
41 (B) For a judge who has calendar management responsibility, a
42 calendar management overview course, provided either by the

1 local court or by CJER, within one year of beginning the
2 supervising judge role, preferably before beginning the role;

3
4 (C) For a judge who has both administrative and calendar
5 management responsibility, both overview courses specified
6 above within one year of beginning the role.

7
8 (3) Each new presiding judge is expected to complete CJER's Presiding
9 Judges Orientation and Court Management Program within one year of
10 beginning the presiding judge role, preferably before beginning the
11 role.

12
13 (4) Each judge is expected to and each subordinate judicial officer must, if
14 beginning a new primary assignment—(unless he or she is returning to
15 an assignment after less than two years in another assignment),—
16 complete a course on the new primary assignment, provided by CJER,
17 the California Judges Association (CJA), or the local court, within six
18 months of beginning the new assignment. CJER is responsible for
19 identifying content for these courses and will share the identified
20 content with CJA and the local courts.

21
22 **(d) Hours-based continuing education**

23
24 (1) Each judge is expected to and each subordinate judicial officer must
25 complete 30 hours of continuing judicial education every three years,
26 beginning on the dates outlined:

27
28 (A) A new judge or new subordinate judicial officer enters the three-
29 year continuing education period on January 1 of the year
30 following completion of the required new judge education;
31 continuing education expectations for judges and requirements for
32 subordinate judicial officers are prorated based on the number of
33 years remaining in the three-year period.

34
35 (B) For all other judges and subordinate judicial officers, the first
36 three-year period begins on January 1, 2007.

37
38 (2) The following education applies toward the expected or required 30
39 hours of continuing judicial education:

40
41 (A) The content-based courses under (c)(2), (3), and (4) for a new
42 supervising judge, a new presiding judge, and a judge or

1 subordinate judicial officer beginning a new primary assignment;
2 and

3
4 (B) Any other education offered by a provider listed in rule
5 10.481471(a) and any other education, including education taken
6 to satisfy a statutory or other education requirement, approved by
7 the presiding judge as meeting the criteria listed in rule
8 10.481471(b).

9
10 (3) Each hour of participation in traditional (face-to-face) education,
11 distance education such as broadcast and videoconference courses,
12 online coursework, and self-directed study counts toward the
13 continuing education expectation or requirement on an hour-for-hour
14 basis. The hours applied for participation in online coursework and
15 self-directed study are limited to a combined total of 7 hours in each
16 three-year period; this limit is prorated for individuals who enter the
17 three-year period after it has begun.

18
19 (4) A judge or subordinate judicial officer who serves as faculty for a
20 California court-based audience (i.e., justices, judges, subordinate
21 judicial officers, temporary judges, or court personnel) may apply the
22 following hours of faculty service: 3 hours for each hour of
23 presentation the first time a given course is presented and 2 hours for
24 each hour of presentation each subsequent time that course is presented.
25 The hours applied for faculty service are limited to 15 in each three-
26 year period; this limit is prorated for individuals who enter the three-
27 year period after it has begun.

28
29 (5) The presiding judge may require subordinate judicial officers to
30 participate in specific courses or participate in education in a specific
31 subject matter area as part of their continuing education.

32
33 **(e) Extension of time**

34
35 (1) For good cause, a presiding judge may grant an extension of time to
36 complete the education expectations or requirements in (c)(2)–(4) and
37 the continuing education expectation or requirement in (d) as follows:

38
39 (A) A time extension to complete the content-based expectations or
40 requirements in (c)(2)–(4) is limited to the original time period
41 provided for completion—that is, one year, one year, or six
42 months, respectively.

1 (B) A time extension to complete the hours-based continuing
2 education expectation or requirement in (d) is limited to one year.
3

4 (2) If the presiding judge grants a request for an extension of time, the
5 judge or subordinate judicial officer, in consultation with the presiding
6 judge, should also pursue interim means of obtaining relevant
7 educational content.
8

9 (3) An extension of time to complete the hours-based continuing education
10 expectation or requirement does not affect what is expected or required
11 in the next three-year period.
12

13 (f) **Records and cumulative histories summaries of participation for judges**
14

15 Each judge is responsible for:
16

17 (1) Tracking his or her own participation in education and keeping a record
18 of participation, on a form provided by the Judicial Council, for three
19 years after each course or activity that is applied toward the
20 requirements and expectations;
21

22 (2) At the end of each year, giving the presiding judge a copy of his or her
23 record of participation in education for that year, on a form provided by
24 the Judicial Council; and
25

26 (3) At the end of each three-year period, giving the presiding judge a copy
27 of his or her record of participation in education for that year and a
28 cumulative history of participation for that three-year period, on a form
29 provided by the Judicial Council.
30

31 (g) **Records of participation for subordinate judicial officers**
32

33 (1) Each court is responsible for tracking participation in education and for
34 tracking completion of minimum education requirements for its
35 subordinate judicial officers.
36

37 (2) Each subordinate judicial officer must keep records of his or her own
38 participation for three years after each course or activity that is applied
39 toward the requirements.
40

41 **Advisory Committee Comment**
42

1 The minimum judicial education requirements in rule 10.462 do not apply to retired judges
2 seeking to sit on regular court assignment in the Assigned Judges Program. Retired judges who
3 seek to serve in the Assigned Judges Program must comply with the Chief Justice’s Standards
4 and Guidelines for Judges Who Serve on Assignment, which includes education requirements.

5
6 **Rule 10.4635.30. Judicial eEducation requirements for family court judges**
7 **and subordinate judicial officers**

8
9 ~~Each~~ Every judge or subordinate judicial officer whose ~~primary~~ principal judicial
10 assignment is to hear family law matters or who is the sole judge hearing family
11 law matters must, ~~if funds are available, attend~~ complete the following judicial
12 education programs:

13
14 **(a) {Basic family law education}**

15
16 _____ Within six months of beginning a family law assignment, or within one year
17 of beginning a family law assignment in courts with five or fewer judges, the
18 judge or subordinate judicial officer must ~~attend~~ complete a basic
19 educational program on California family law and procedure designed
20 primarily for judicial officers. A judge or subordinate judicial officer who
21 has completed the basic educational program need not ~~complete~~ attend the
22 basic educational program again. All other judicial officers who hear family
23 law matters, including retired judges who sit on court assignment, must
24 complete ~~participate in~~ appropriate family law educational programs.

25
26 **(b) {Continuing family law education}**

27
28 _____ The judge or subordinate judicial officer must complete ~~attend~~ a periodic
29 update on new developments in California family law and procedure.

30
31 **(c) {Other family law education}**

32
33 _____ To the extent that judicial time and resources are available, the judge or
34 subordinate judicial officer must complete ~~attend~~ additional educational
35 programs on other aspects of family law including interdisciplinary subjects
36 relating to the family.

37
38 **Rule 10.469. Judicial education recommendations for justices, judges, and**
39 **subordinate judicial officers**

40
41 **(a) Judicial education recommendations generally**

1 Each justice, judge, and subordinate judicial officer, as part of his or her
2 continuing judicial education, should regularly participate in educational
3 activities related to his or her responsibilities and particular judicial
4 assignment or assignments. Minimum education requirements and
5 expectations related to judicial responsibilities and assignments are set forth
6 in rules 10.461–10.462. Additional education requirements related to the
7 specific responsibility of hearing family law matters are set forth in rule
8 10.463. The following recommendations illustrate for some specific
9 responsibilities and assignments how justices, judges, and subordinate
10 judicial officers should participate in more judicial education than is required
11 and expected.

12
13 **(b) Jury trial assignment**

14
15 Each judge or subordinate judicial officer assigned to jury trials should
16 regularly use Center for Judicial Education and Research (CJER) educational
17 materials or other appropriate materials and should regularly complete CJER
18 or other appropriate educational programs devoted to the conduct of jury voir
19 dire and the treatment of jurors.

20
21 **(c) Hearing of juvenile dependency matters**

22
23 Each judge or subordinate judicial officer who hears juvenile dependency
24 matters, including retired judges who sit on court assignment, should
25 regularly use appropriate educational materials and should annually complete
26 appropriate education programs on juvenile dependency law and procedure,
27 consistent with the requirements in Welfare and Institutions Code section
28 304.7.

29
30 **(d) Capital case assignment**

31
32 Each judge assigned to hear a capital case should complete before the
33 commencement of the trial a comprehensive education program on
34 California law and procedure relevant to capital cases provided by CJER. A
35 judge with a subsequent assignment to a capital case should complete a
36 periodic update course within two years before the commencement of the
37 trial. The periodic update may be provided through actual classroom
38 instruction or through video, audio, or other media as determined by CJER.

39
40 **(e) Fairness and access education**

41
42 In order to achieve the objective of assisting judicial officers in preserving
43 the integrity and impartiality of the judicial system through the prevention of

1 bias, each justice, judge, and subordinate judicial officer should regularly
2 participate in education on fairness and access. The education should include
3 the following subjects: race and ethnicity, gender, sexual orientation, persons
4 with disabilities, and sexual harassment.

5
6 **Rule 10.471. Minimum education requirements for Supreme Court and**
7 **Court of Appeal clerk/administrators**

8
9 **(a) Applicability**

10
11 All California Supreme Court and Court of Appeal clerk/administrators must
12 complete these minimum education requirements. All clerk/administrators
13 should participate in more education than is required, related to each
14 individual's responsibilities and in accordance with the education
15 recommendations set forth in rule 10.479.

16
17 **(b) Hours-based requirement**

18
19 (1) Each clerk/administrator must complete 30 hours of continuing
20 education every three years beginning on the following date:

21
22 (A) For a new clerk/administrator, the first three-year period begins
23 on January 1 of the year following his or her hire.

24
25 (B) For all other clerk/administrators, the first three-year period
26 begins on January 1, 2008.

27
28 (2) The following education applies toward the required 30 hours of
29 continuing education:

30
31 (A) Any education offered by a provider listed in rule 10.481(a) and
32 any other education, including education taken to satisfy a
33 statutory or other education requirement, approved by the Chief
34 Justice or the administrative presiding justice as meeting the
35 criteria listed in rule 10.481(b).

36
37 (B) Each hour of participation in traditional (face-to-face) education,
38 distance education such as broadcast and videoconference
39 courses, online coursework, and self-directed study counts toward
40 the requirement on an hour-for-hour basis. The hours applied for
41 participation in online coursework and self-directed study are
42 limited to a combined total of 7 hours in each three-year period.
43

1 (C) A clerk/administrator who serves as faculty for a California court-
2 based audience (i.e., justices, judges, subordinate judicial officers,
3 temporary judges, or court personnel) may apply the following
4 hours of faculty service: 3 hours for each hour of presentation the
5 first time a given course is presented and 2 hours for each hour of
6 presentation each subsequent time that course is presented. The
7 hours applied for faculty service are limited to 15 in each three-
8 year period.

9
10 **(c) Extension of time**

11
12 (1) For good cause, the Chief Justice or the administrative presiding justice
13 may grant a one-year extension of time to complete the education
14 requirements in (b).

15
16 (2) If the Chief Justice or the administrative presiding justice grants a
17 request for an extension of time, the clerk/administrator, in consultation
18 with the Chief Justice or the administrative presiding justice, must also
19 pursue interim means of obtaining relevant educational content.

20
21 (3) An extension of time to complete the hours-based requirement does not
22 affect the timing of the clerk/administrator's next three-year period.

23
24 **(d) Record of participation; statement of completion**

25
26 Each clerk/administrator is responsible for:

27
28 (1) Tracking his or her own participation in education and keeping a record
29 of participation for three years after each course or activity that is
30 applied toward the requirements;

31
32 (2) At the end of each year, giving the Chief Justice or the administrative
33 presiding justice a copy of his or her record of participation in
34 education for that year; and

35
36 (3) At the end of each three-year period, giving the Chief Justice or the
37 administrative presiding justice a signed statement of completion for
38 that three-year period.

39
40 **Rule 10.472. Minimum education requirements for Supreme Court and**
41 **Court of Appeal managers, supervisors, and other personnel**
42

1 **(a) Applicability**

2
3 All California Supreme Court and Court of Appeal managers, supervisors,
4 and other personnel must complete these minimum education requirements.
5 All managers, supervisors, and other personnel should participate in more
6 education than is required related to each individual's responsibilities and in
7 accordance with the education recommendations set forth in rule 10.479.
8

9 **(b) Content-based requirements**

10
11 (1) Each new manager or supervisor must complete orientation courses
12 within six months of becoming a manager or supervisor, unless the
13 court's clerk/administrator, or managing attorney, or the individual's
14 supervisor determines that the new manager or supervisor has already
15 completed these orientation courses or courses covering equivalent
16 content. The courses must include orientation about:

17
18 (A) The judicial branch of California;

19
20 (B) The local court; and

21
22 (C) Basic management and supervision.
23

24 (2) Each new court employee who is not a manager or supervisor must
25 complete orientation courses within six months of becoming a court
26 employee, unless the employee's supervisor determines that the new
27 court employee has already completed these orientation courses or
28 courses covering equivalent content. The courses must include
29 orientation about:

30
31 (A) The judicial branch of California;

32
33 (B) The local court;

34
35 (C) Basic employee issues, such as sexual harassment and safety; and
36

37 (D) The employee's specific job.
38

39 (3) The clerk/administrator, the managing attorney, or the employee's
40 supervisor may determine the appropriate content, delivery mechanism,
41 and length of orientation based on the needs and role of each individual
42 employee.
43

1 **(c) Hours-based requirements**

- 2
- 3 (1) Each manager or supervisor must complete 12 hours of continuing
4 education every two years.
- 5
- 6 (2) Each court employee who is not a manager or supervisor must
7 complete 8 hours of continuing education every two years, with the
8 exception of employees who do not provide court administrative or
9 operational services. Those employees are not subject to the continuing
10 education hours-based requirement but must complete any education or
11 training required by law and any other education required by the
12 clerk/administrator.
- 13
- 14 (3) The first two-year period for all managers, supervisors, and other
15 personnel begins on January 1, 2008. The orientation education
16 required for new managers, supervisors, and other personnel under (b)
17 does not apply toward the required hours of continuing education
18 because it must be completed before they enter the two-year period.
19 Each new manager, supervisor, or employee enters the two-year
20 continuing education period on the first day of the quarter following his
21 or her completion of the orientation education required under (b); the
22 quarters begin on January 1, April 1, July 1, and October 1. Each
23 manager, supervisor, or employee who enters the two-year continuing
24 education period after it has begun must complete a prorated number of
25 continuing education hours for that two-year period, based on the
26 number of quarters remaining in it.
- 27
- 28 (4) Any education offered by a provider listed in rule 10.481(a) and any
29 other education, including education taken to satisfy a statutory, rules-
30 based, or other education requirement, that is approved by the
31 clerk/administrator, the managing attorney, or the employee's
32 supervisor as meeting the criteria listed in rule 10.481(b) applies toward
33 the orientation education required under (b) and the continuing
34 education required under (c)(1) and (2).
- 35
- 36 (5) Each hour of participation in traditional (face-to-face) education,
37 distance education such as broadcast and videoconference courses, and
38 online coursework counts toward the requirement on an hour-for-hour
39 basis. The hours applied for participation in online coursework are
40 limited to a total of 4 hours for managers and supervisors and to a total
41 of 3 hours for other personnel in each two-year period; these limits are
42 prorated for individuals who enter the two-year period after it has

1 begun. Self-directed study is encouraged for professional development
2 but does not apply toward the required hours.

3
4 (6) A manager, supervisor, or other employee who serves as faculty for a
5 California court-based audience (i.e., justices, judges, subordinate
6 judicial officers, temporary judges, or court personnel) may apply the
7 following hours of faculty service: 3 hours for each hour of
8 presentation the first time a given course is presented and 2 hours for
9 each hour of presentation each subsequent time that the course is
10 presented. The hours applied for faculty service are limited to 6 hours
11 for managers and supervisors and to 4 hours for other personnel in each
12 two-year period; these limits are prorated for individuals who enter the
13 two-year period after it has begun.

14
15 (7) The clerk/administrator, the managing attorney, or the employee's
16 supervisor may require managers, supervisors, and other court
17 personnel to participate in specific courses or to participate in education
18 in a specific subject matter area as part of their continuing education.

19
20 **(d) Extension of time**

21
22 (1) For good cause, a justice (for that justice's chambers staff), the
23 managing attorney, the clerk/administrator or a supervisor, if delegated
24 by the clerk/administrator, or the employee's supervisor may grant a
25 six-month extension of time to complete the education requirements in
26 this rule.

27
28 (2) If the justice, managing attorney, clerk/administrator, or supervisor
29 grants a request for an extension of time, the manager, supervisor, or
30 employee who made the request, in consultation with the justice,
31 managing attorney, clerk/administrator, or supervisor, must also pursue
32 interim means of obtaining relevant educational content.

33
34 (3) An extension of time to complete the hours-based requirement does not
35 affect the timing of the next two-year period.

36
37 **(e) Records of participation**

38
39 (1) Each court is responsible for tracking participation in education and for
40 tracking completion of minimum education requirements for its
41 managers, supervisors, and other personnel.

- 1 (2) Each manager, supervisor, and employee must keep records of his or
2 her own participation for two years after each course or activity that is
3 applied toward the requirements.
4

5 **Rule ~~10.473~~10.463. Minimum education requirements for Trial court**
6 **executive officers**

7
8 **(a) Applicability**
9

10 All California trial court executive officers must complete these minimum
11 education requirements. All executive officers should participate in more
12 education than is required, related to each individual's responsibilities and in
13 accordance with the education recommendations set forth in rule 10.479.
14

15 **(b) Content-based requirement**
16

- 17 (1) Each new executive officer must complete the Presiding Judges
18 Orientation and Court Management Program provided by the
19 Administrative Office of the Courts' Education Division/Center for
20 Judicial Education and Research (CJER) within one year of becoming
21 an executive officer and should participate in additional education
22 during the first year.
23
24 (2) Each executive officer should participate in CJER's Presiding Judges
25 Orientation and Court Management Program each time a new presiding
26 judge from his or her court participates in the course and each time the
27 executive officer becomes the executive officer in a different court.
28

29 **(c) Hours-based requirement**
30

- 31 (1) Each executive officer must complete 30 hours of continuing education
32 every three years beginning on the following date:
33
34 (A) For a new executive officer, the first three-year period begins on
35 January 1 of the year following completion of the required
36 education for new executive officers.
37
38 (B) For all other executive officers, the first three-year period begins
39 on January 1, 2007.
40
41 (2) The following education applies toward the required 30 hours of
42 continuing education:
43

- 1 (A) Any education offered by a provider listed in rule 10.481471(a)
2 and any other education, including education taken to satisfy a
3 statutory or other education requirement, approved by the
4 presiding judge as meeting the criteria listed in rule 10.481471(b).
5
- 6 (B) Each hour of participation in traditional (face-to-face) education,
7 distance education such as broadcast and videoconference
8 courses, online coursework, and self-directed study counts toward
9 the requirement on an hour-for-hour basis. The hours applied for
10 participation in online coursework and self-directed study are
11 limited to a combined total of 7 hours in each three-year period.
12
- 13 (C) An executive officer who serves as faculty for a California court-
14 based audience (i.e., justices, judges, subordinate judicial officers,
15 temporary judges, or court personnel) may apply the following
16 hours of faculty service: 3 hours for each hour of presentation the
17 first time a given course is presented and 2 hours for each hour of
18 presentation each subsequent time that course is presented. The
19 hours applied for faculty service are limited to 15 in each three-
20 year period.

21
22 **(d) Extension of time**

- 23
- 24 (1) For good cause, a presiding judge may grant a one-year extension of
25 time to complete the education requirements in (b) and (c).
26
- 27 (2) If the presiding judge grants a request for an extension of time, the
28 executive officer, in consultation with the presiding judge, must also
29 pursue interim means of obtaining relevant educational content.
30
- 31 (3) An extension of time to complete the hours-based requirement does not
32 affect the timing of the executive officer's next three-year period.
33

34 **(e) [Record of participation; statement of completion]**

35 Each executive officer is responsible for:

- 36
- 37
- 38 (1) Tracking his or her own participation in education and keeping a record
39 of participation for three years after each course or activity that is
40 applied toward the requirements;
41
- 42 (2) At the end of each year, giving the presiding judge a copy of his or her
43 record of participation in education for that year; and

- 1
2 (3) At the end of each three-year period, giving the presiding judge a
3 signed statement of completion for that three-year period.
4

5 **Rule ~~10.474~~10.464. Trial court managers, supervisors, and other personnel**

6
7 **(a) Applicability**
8

9 All California trial court managers, supervisors, and other personnel must
10 complete these minimum education requirements. All managers, supervisors,
11 and other personnel should participate in more education than is required,
12 related to each individual's responsibilities and in accordance with the
13 education recommendations set forth in rule 10.479.
14

15 **(b) Content-based requirements**
16

- 17 (1) Each new manager or supervisor must complete orientation courses
18 within six months of becoming a manager or supervisor, unless the
19 court's executive officer determines that the new manager or supervisor
20 has already completed these orientation courses or courses covering
21 equivalent content. The courses must include orientation ~~to~~ about:
22

- 23 (A) The judicial branch of California;
24
25 (B) The local court; and
26
27 (C) Basic management and supervision.
28

- 29 (2) Each new court employee who is not a manager or supervisor must
30 complete orientation courses within six months of becoming a court
31 employee, unless the employee's supervisor determines that the new
32 court employee has already completed these orientation courses or
33 courses covering equivalent content. The courses must include
34 orientation ~~to~~ about:
35

- 36 (A) The judicial branch of California;
37
38 (B) The local court; and
39
40 (C) Basic employee issues, such as sexual harassment and safety; and
41
42 (D) The employee's specific job.
43

- 1 (3) The court executive officer may determine the appropriate content,
2 delivery mechanism, and length of orientation based on the needs and
3 role of each individual employee.
4

5 **(c) Hours-based requirements**
6

- 7 (1) Each court manager or supervisor must complete 12 hours of
8 continuing education every two years.
9

- 10 (2) Each court employee who is not a manager or supervisor must
11 complete 8 hours of continuing education every two years, with the
12 exception of employees who do not provide court administrative or
13 operational services. Those employees are not subject to the continuing
14 education hours-based requirement but must complete any education or
15 training required by law and any other education required by the court
16 executive officer.
17

- 18 (3) The first two-year period for all court managers, supervisors, and other
19 personnel begins on January 1, 2007. The orientation education
20 required for new managers, supervisors, and other personnel under (b)
21 does not apply toward the required hours of continuing education
22 because it must be completed before they enter the two-year period.
23 Each new manager, supervisor, or employee enters the two-year
24 continuing education period on the first day of the quarter following his
25 or her completion of the orientation education required under (b); the
26 quarters begin on January 1, April 1, July 1, and October 1. Each
27 manager, supervisor, or employee who enters the two-year continuing
28 education period after it has begun must complete a prorated number of
29 continuing education hours for that two-year period, based on the
30 number of quarters remaining in it.
31

- 32 (4) Any education offered by a provider listed in rule 10.481471(a) and
33 any other education, including education taken to satisfy a statutory,
34 rules-based, or other education requirement, that is approved by the
35 executive officer or the employee's supervisor as meeting the criteria
36 listed in rule 10.481471(b) applies toward the orientation education
37 required under (b) and the continuing education required under (c)(1)
38 and (2).
39

- 40 (5) Each hour of participation in traditional (face-to-face) education,
41 distance education such as broadcast and videoconference courses, and
42 online coursework counts toward the requirement on an hour-for-hour
43 basis. The hours applied for participation in online coursework are

1 limited to a total of 4 hours for managers and supervisors and to a total
2 of 3 hours for other personnel in each two-year period; these limits are
3 prorated for individuals who enter the two-year period after it has
4 begun. Self-directed study is encouraged for professional development
5 but does not apply toward the required hours.
6

7 (6) A manager, supervisor, or employee who serves as faculty for a
8 California court-based audience (i.e., justices, judges, subordinate
9 judicial officers, temporary judges, or court personnel) may apply the
10 following hours of faculty service: 3 hours for each hour of
11 presentation the first time a given course is presented and 2 hours for
12 each hour of presentation each subsequent time that the course is
13 presented. The hours applied for faculty service are limited to 6 hours
14 for managers and supervisors and to 4 hours for other personnel in each
15 two-year period; these limits are prorated for individuals who enter the
16 two-year period after it has begun.
17

18 (7) The court executive officer may require managers, supervisors, and
19 other court personnel to participate in specific courses or to participate
20 in education in a specific subject matter area as part of their continuing
21 education.
22

23 **(d) Extension of time**
24

25 (1) For good cause, the executive officer or a supervisor, if delegated by
26 the executive officer, may grant a six-month extension of time to
27 complete the education requirements in this rule.
28

29 (2) If the executive officer or supervisor grants a request for an extension
30 of time, the manager, supervisor, or employee who made the request, in
31 consultation with the executive officer or supervisor, must also pursue
32 interim means of obtaining relevant educational content.
33

34 (3) An extension of time to complete the hours-based requirement does not
35 affect the timing of the next two-year period.
36

37 **(e) Records of participation**
38

39 (1) Each court is responsible for tracking participation in education and for
40 tracking completion of minimum education requirements for its
41 managers, supervisors, and other personnel.
42

- 1 (2) Each manager, supervisor, and employee must keep records of his or
2 her own participation for two years after each course or activity that is
3 applied toward the requirements.
4

5 **Rule 10.479. Education recommendations for appellate and trial court**
6 **personnel**

7
8 **(a) Education recommendations generally**
9

10 Each appellate and trial court executive or administrative officer, manager,
11 supervisor, and employee, as part of his or her continuing education, should
12 regularly participate in educational activities related to his or her
13 responsibilities. Minimum education requirements for court personnel are set
14 forth in rules 10.471–10.474. The following recommendations illustrate for
15 some specific responsibilities how executive and administrative officers,
16 managers, supervisors, and other personnel should participate in more
17 education than is required.
18

19 **(b) Education on treatment of jurors**
20

21 The presiding judge of each trial court should ensure that all court executives
22 and all court employees who interact with jurors are properly trained in the
23 appropriate treatment of jurors. Court executives and jury staff employees
24 should regularly use CJER educational materials or other appropriate
25 materials and should regularly participate in CJER programs or other
26 appropriate programs devoted to the treatment of jurors.
27

28 **(c) Fairness and access education**
29

30 In order to achieve the objective of assisting court employees in preserving
31 the integrity and impartiality of the judicial system through the prevention of
32 bias, all court personnel should regularly participate in education on fairness
33 and access. The education should include instruction on race and ethnicity,
34 gender, sexual orientation, persons with disabilities, and sexual harassment.
35

36 **(d) Education on quality service to court users**
37

38 Employees should regularly participate in education covering appropriate
39 skills and conduct for working with court customers offered locally or by the
40 Judicial Council through CJER.
41

42 **Rule 10.48110.471. Approved providers; approved course criteria**
43

1 (a) **Approved providers**

2
3 Any education program offered by any of the following providers that is
4 relevant to the work of the courts or enhances the individual participant's
5 ability to perform his or her job may be applied toward the education
6 requirements and expectations stated in rules 10.461–10.479, except for the
7 requirements stated in rules 10.461(b), 10.462(b)(c), and 10.473(b), for
8 which specific providers are required ~~10.462(d), 10.463(e), or 10.464(b)(e):~~
9

- 10 (1) California Administrative Office of the Courts;
11
12 (2) California Judges Association;
13
14 (3) Supreme Court of California;
15
16 (4) California Courts of Appeal;
17
18 (5) Superior Courts of California;
19
20 (6) State Bar of California;
21
22 (7) National Judicial College;
23
24 (8) National Center for State Courts;
25
26 (9) National Council of Juvenile and Family Court Judges;
27
28 (10) National Association of Women Judges;
29
30 (11) American Bar Association;
31
32 (12) National Association for Court Management;
33
34 (13) American Judges Association;
35
36 (14) American Academy of Judicial Education;
37
38 (15) Dwight D. Opperman Institute of Judicial Administration;
39
40 (16) National Institute of Justice;
41
42 (17) Law schools accredited by the American Bar Association;
43

- 1 (18) Accredited colleges and universities;
- 2
- 3 (19) Continuing Education of the Bar—California;
- 4
- 5 (20) Local California bar associations;
- 6
- 7 (21) California Court Association; ~~and~~
- 8
- 9 (22) Superior Court Clerks’ Association of the State of California-;
- 10
- 11 (23) Council of Chief Judges of Courts of Appeal;
- 12
- 13 (24) Roscoe Pound Institute, Annual Forum for State Appellate Court
- 14 Judges;
- 15
- 16 (25) National Conference of Appellate Court Clerks;
- 17
- 18 (26) AEI-Brookings Joint Center;
- 19
- 20 (27) The Rutter Group; and
- 21
- 22 (28) American Board of Trial Advocates.
- 23

24 **(b) Approved education criteria**

25
26 Education is not limited to the approved providers listed in (a). Any
27 education from a provider not listed in (a) that is approved by the Chief
28 Justice, the administrative presiding justice, or the presiding judge as
29 meeting the criteria listed below may be applied toward the continuing
30 education expectations and requirements for justices, judges, and subordinate
31 judicial officers or requirements for clerk/administrators or court executive
32 officers-stated in rule 10.462(d) or 10.463(e), respectively. Similarly, any
33 education from a provider not listed in (a) that is approved by the
34 clerk/administrator, the court executive officer, or by the employee’s
35 supervisor as meeting the criteria listed below may be applied toward the
36 orientation or continuing education requirements for managers, supervisors,
37 and other employees in rule 10.464(b) and (c)(1), (2).

38
39 (1) The education must meet the following three criteria:

- 40
- 41 (A) The subject matter is relevant to the work of the courts or the
- 42 judicial branch;
- 43

- 1 (B) The education is at least one hour in length; and
- 2
- 3 (C) Anticipated learning outcomes (how new knowledge, skills, or
- 4 abilities will be applied, demonstrated, or used) are identified
- 5 prior to the education work.
- 6
- 7 (2) The education must also meet at least two of the following five criteria:
- 8
- 9 (A) The learning environment is educationally sound (e.g.,
- 10 distractions are limited and the physical location is conducive to
- 11 learning the subject matter);
- 12
- 13 (B) The participant receives or has access to all the reference tools
- 14 and other materials and resources (such as handouts) that are
- 15 required for learning and applying the content (such as job aids or
- 16 scripts);
- 17
- 18 (C) The participant has an opportunity to practice using or applying
- 19 the new information or skill (through direct experience, role-play,
- 20 or case studies/hypothetical situations) as part of the learning
- 21 experience;
- 22
- 23 (D) The participant has the opportunity to interact with
- 24 knowledgeable faculty or other experts in the topical area to pose
- 25 questions or clarify understanding;
- 26
- 27 (E) An assessment tool or activity (such as the development of an
- 28 action plan to apply the newly gained knowledge or skill) enables
- 29 the participant to determine whether the skills, abilities, or
- 30 knowledge gained through the education can be used in the future
- 31 in his or her work.
- 32

33 **Rule 10.491. Minimum education requirements for Administrative Office of**
34 **the Courts executives, managers, supervisors, and other employees**

35
36 **(a) Applicability**

37
38 All Administrative Office of the Courts (AOC) executives, managers,
39 supervisors, and other employees must complete these minimum education
40 requirements.

41
42 **(b) Content-based requirements**

- 1 (1) Each new manager or supervisor must complete the AOC's New
2 Manager/Supervisor Orientation within six months of being hired or
3 assigned as a manager or supervisor.
4
5 (2) Each new employee, including each new manager or supervisor, must
6 complete the AOC's New Employee Orientation within six months of
7 being hired and should complete it as soon as possible after being hired.
8
9 (3) The Administrative Director of the Courts may require new managers,
10 supervisors, and other employees to complete specific AOC
11 compliance courses in addition to the required orientation courses.
12

13 **(c) Hours-based requirements**
14

- 15 (1) Each executive must complete 30 hours of continuing education every
16 two years.
17
18 (2) Each manager or supervisor must complete 18 hours of continuing
19 education every two years.
20
21 (3) Each employee who is not an executive, manager, or supervisor must
22 complete 12 hours of continuing education every two years.
23
24 (4) The first two-year period begins on January 1, 2008. The orientation
25 courses and the compliance courses required for new managers,
26 supervisors, and other employees under (b) do not apply toward the
27 required hours of continuing education. Each new executive enters the
28 two-year continuing education period on the first day of the quarter
29 following his or her appointment, and each new manager, supervisor,
30 and employee enters the two-year continuing education period on the
31 first day of the quarter following his or her completion of the
32 orientation courses and the compliance courses required under (b); the
33 quarters begin on January 1, April 1, July 1, and October 1. Each
34 executive, manager, supervisor, or employee who enters the two-year
35 continuing education period after it has begun must complete a prorated
36 number of continuing education hours for that two-year period, based
37 on the number of quarters remaining in it.
38
39 (5) Any education offered by a provider listed in rule 10.481(a) and any
40 other education, including education taken to satisfy a statutory, rules-
41 based, or other education requirement, that is approved by the
42 employee's supervisor as meeting the criteria listed in rule 10.481(b)
43 applies toward the continuing education required under (c)(1).

1
2 (6) Each hour of participation in traditional (face-to-face) education,
3 distance education such as broadcast and videoconference courses, and
4 online coursework counts toward the requirement on an hour-for-hour
5 basis. The hours applied for participation in online coursework and
6 self-directed study are limited to a total of 10 hours for executives, 6
7 hours for managers and supervisors, and 4 hours for other employees in
8 each two-year period; these limits are prorated for individuals who
9 enter the two-year period after it has begun.

10
11 (7) An executive, manager, supervisor, or employee who serves as faculty
12 teaching courses at the AOC or on behalf of the AOC at another
13 location may apply the following hours of faculty service: 3 hours for
14 each hour of presentation the first time a given course is presented and
15 two hours for each hour of presentation each subsequent time that the
16 course is presented. The hours applied for faculty service are limited to
17 15 hours for executives, 9 hours for managers and supervisors, and 6
18 hours for other personnel in each two-year period; these limits are
19 prorated for individuals who enter the two-year continuing education
20 period after it has begun.

21
22 (8) The Administrative Director of the Courts may require executives,
23 managers, supervisors, and other employees to complete specific AOC
24 compliance courses as part of the continuing education requirements.

25
26 **(d) Extension of time**

27
28 (1) For good cause, the Administrative Director of the Courts or an
29 executive, manager, or supervisor, if delegated by the Administrative
30 Director, may grant a six-month extension of time to complete the
31 education requirements in this rule.

32
33 (2) If the Administrative Director, or an executive, manager, or supervisor,
34 grants a request for an extension of time, the individual who made the
35 request, in consultation with the Administrative Director or the
36 individual's supervisor, must also pursue interim means of obtaining
37 relevant educational content.

38
39 (3) An extension of time to complete the hours-based requirement does not
40 affect the timing of the next two-year period.

41
42 **(e) Records of participation**

- 1 (1) An employee's completion of any course listed in the Human
2 Resources Education Management System (HREMS) is automatically
3 tracked in HREMS.
- 4
- 5 (2) An employee's completion of specified online training is automatically
6 tracked in HREMS.
- 7
- 8 (3) Each employee is responsible for tracking completion of any training
9 that is not automatically tracked in HREMS. After completion of the
10 training, the employee must enter it in the employee's individual record
11 in HREMS.

12

13 **(f) Responsibilities of Administrative Director of the Courts, and of AOC**
14 **executives, managers, and supervisors**

15

16 The Administrative Director of the Courts and each AOC executive,
17 manager, and supervisor:

- 18
- 19 (1) Must grant sufficient time to all employees to enable them to complete
20 the minimum education requirements stated in (b)–(c);
- 21
- 22 (2) Should allow and encourage employees, in addition to participating as
23 students in education activities, to serve on employee education
24 committees and as faculty at judicial branch education programs when
25 an employee's services have been requested for these purposes; and
- 26
- 27 (3) Should establish an education plan for their employees to facilitate their
28 involvement as both participants and faculty in educational activities,
29 and should consult with each employee regarding his or her education
30 needs and requirements and professional development.
- 31
- 32 (4) Must ensure that executives, managers, supervisors, and other
33 employees are reimbursed by the AOC in accordance with the travel
34 policies issued by the Administrative Office of the Courts for travel
35 expenses incurred in attending in-state education programs as a
36 participant in order to complete the minimum education requirements
37 in (b)–(c). Provisions for these expenses must be part of the AOC's
38 budget. The Administrative Director of the Courts may approve
39 reimbursement of travel expenses incurred by executives, managers,
40 supervisors, and other court personnel in attending out-of-state
41 education programs as participants.
- 42