

**LOS ANGELES COUNTY**  
**ECONOMY AND EFFICIENCY COMMISSION**

ROOM 163, HALL OF ADMINISTRATION / 500 WEST TEMPLE / LOS ANGELES, CALIFORNIA 90012 / 974-1491

MINUTES

George E. Bodle, Chairperson  
Dr. Carolyn L. Ellner, Vice Chairperson

FULL COMMISSION MEETING

October 7, 1981

Susan Berk  
Gunter W. Buerk  
John D. Byork  
Anne S. Collins  
Joe Crail  
Jack Drown  
Milton G. Gordon  
Thomas F. Kranz  
Dr. Richard G. Lillard  
Robert Lowe  
Abraham M. Lurie  
Lauro J. Neri  
Robert Ruchti, II  
Richard Snyder  
Gloria Starr  
Wally Thor  
Peter L. Tweedt  
Bryan Walker  
Connie Worden

Members Present:

George E. Bodle, Chairperson  
Susan Berk  
Gunter Buerk  
John Byork  
Jack Drown  
Carolyn L. Ellner  
Haig Kehiayan  
Thomas Kranz  
Robert Lowe  
Lauro Neri  
Robert Segall  
Richard Snyder  
Gloria Starr  
Dean Sweeney  
Wally Thor

Members Excused:

Joe Crail  
Milton Gordon  
Abe Lurie  
Robert Ruchti, II  
Peter Tweedt

Guests:

Hon. Christian E. Markey, Jr.  
Chairman, Bench and Bar Council  
Terry Mix, Los Angeles County Trial  
Lawyers Association  
Frank S. Zolin, Executive Officer  
L. A. County Superior Court  
Geoff Gallas, Institute for Court  
Management  
Robert Lynch, Assistant Chief Deputy  
Los Angeles County Counsel

George E. Bodle called the meeting to order at 9:35 a.m.

Mr. Bodle welcomed the new commissioners: Gunther Buerk, Haig Kehiayan and Robert Segall. All introduced themselves with brief comments of their background and their interest in the Commission.

Mr. Bodle commented on the brilliant and excellent job done by the members of the Task Force on Courts. He also thanked John Campbell for writing and editing the report. He then turned the meeting over to Thomas Kranz, Chairman of the Task Force on Courts, for presentation of the report.

Presentation of the Task Force Report on the Court System

Tom Kranz gave a review of how the task force assembled and emphasized the purpose. The purpose was in response to a request by the Board of Supervisors that this commission review the primary problem of court congestion and delay. He stated that the bar, Judiciary and Legislature for years have tried to wrestle with this issue, but due to the monumental impact of Proposition 13, where does one gather the resource, funding and

revenue available to finance government services in light of the general taxpayer's criticism of waste and inefficiency in government. What is presented in this report, Mr. Kranz said, is an overview of the public policy questions: how can the interlocking government agencies in this county, the Board of Supervisors, Judiciary, County Clerk, Sheriff, and all the various agencies who have to, work in a very determined effort of cooperation to effect ways of change; and most important, how these agencies can together bring the necessary pressure, lobby to accomplish the change?

Mr. Kranz stated that if the Board of Supervisors adopt the first four recommendations and implement them in the forth coming year, the County could save \$5 million for the cost of running the civil court system. The other eleven recommendations in the report are long-term and the Board of Supervisors could work with Legislature to implement change thereby creating greater efficiency in the court system as well as generating more revenue and a much stronger proportionality of user fees as to the actual cost.

Mr. Kranz congratulated John Campbell, the task force members for a very eloquently drafted document with the assistance, through their public hearings last June, of the men and women of the Judiciary, the bench and bar, County Counsel Office, the various County agencies who helped and worked with the task force. He urged the Commission to adopt the recommendations.

On motion of Haig Kehiayan, seconded by Gloria Starr, the commission adopted the recommendations of the Task Force Report on the Court System, after hearing comments from guest speakers and discussion by commission members.

### Speakers and Discussion

Honorable Christian E. Markey, Jr., Judge of the Los Angeles County Superior Court and Chairman of the Los Angeles County Trial Lawyers Council, addressed the commission. He commended the task force on a remarkable piece of work and that the recommendations should be published. Judge Markey said he was pleased that he had the opportunity to participate.

Question (Byork): After we have adopted this report and the legal people have looked at it thoroughly and like it, Sacramento has to act on it. How do we get around that?

Answer (Campbell): Some of the recommendations of the task force are capable of local action. Where there is a requirement for change then the bottom line finding is that an effort on the County Board of Supervisors and the Judiciary on specific objective is likely to have some effect on Sacramento. Some of the items are geared purely for local action.

Frank S. Zolin, Executive Officer of the Los Angeles County Superior Court, addressed the commission. He recommended adoption of this report by the commission. He stated that it is one of the finest report he has seen on the court system. Mr. Zolin also complimented the task force on developing a foundation for constructive progress. The report is an overview of a complex

subject, he stated, and as such will receive different opinions and comments. The important thing is that the fundamentals and the validity of the recommendations will provide a foundation for needed improvement. He also conveyed Judge Eagleson's praise for the work done by the task force.

Robert Lynch, Assistant Chief Deputy of the Los Angeles County Counsel office, addressed the commission. Mr. Lynch stated that the County Counsel office has looked at the report and was very impressed with it and the potentials it has for the court system. The legal problems as they exist for contracting out for security service, county clerk's office are minor and certainly they are something that can be worked on and solved with further consideration.

Terry Mix, Los Angeles County Trial Lawyers Association, addressed the commission and agreed with 90 percent of the report. He objected to the task force treatment of prejudgment interest in the report. He asked that further consideration and thought be given to this issue due to Senate Bill 203 authored by Omer Rains. He stated that ethically, morally and legally the client of a lawyer has the ultimate say so in litigation. Therefore, if SB 203 is passed, it would mean more money for the plaintiff. Senate Bill 203 in its original form is a postjudgment interest bill that would elevate interest on judgments from 7 to 10 percent. This bill has been amended recently to add prejudgment interest. Mr. Mix feels that the commission's recommendations on this bill could in fact tip the balance in favor of its passage. Therefore, Mr. Mix asked the commission to review SB 203 before adopting the report.

Thomas Kranz responded to Mr. Mix's comments and said that the task force attempted to present an overview of the problem of congestion and delay in the courts. The commission was charged to report back to the Board of Supervisors on specifics as to how the county could make the court system more efficient, reduce the delay and generate additional revenue or reduce cost. We, the task force, did not take a position on the issue of prejudgment interest because this issue is a matter for the Legislature. Also, the task force did not have enough information on analysis of unification in the Superior and Municipal Courts, therefore, we feel prejudgment interest alone could not eliminate congestion, generate revenue or reduce cost.

John Campbell explained that there are three main bodies of thought to the report. They are: 1) Choosing of objectives and addressing those jointly, in a collaborative effort to the Board of Supervisors and the Judiciary. 2) Some local action that can be taken in a year or so which are the four first recommendations, and 3) The eleven recommendations that we are proposing to refer to the Bench and Bar, County Counsel, Administrative Officers for implementation planning. Mr. Campbell stated that the task force felt strongly that the congestion in the court system has a great deal to do with the fundamental incentives that either drive caseloads up or create some financial reason for trying to delay cases.

Geoff Gallas, Institute for Court Management, addressed the commission. Mr. Gallas stated that he was very impressed with the report. Some of the savings, he said, in reference to contract services -- security functions -- has to be tied to efforts made in getting the existing services to cutback. Contracting service for security has to be tied to cutting back on the existing level of service of the Sheriff and Marshal which is hard to accomplish. He feels that accepting contracting for services alone cannot save money, if it merely adds to the system.

Mr. Gallas also stated that the Neighborhood Justice Center is an idea that is very popular in Judicial Administration in the national community right now. It is a thing that has a lot of attractiveness. The Neighborhood Justice Center he feels maybe a recreation of the Justice of the Peace System. Lay people who understands people problems -- helping them solve disputes -- has to be tied in with the existing court system. In terms of accessibility, he asked, are we just giving a lower class of justice to cases that are supposed to be worth less because they involve lesser amounts of money? Where we have recommendations to contract for services in lieu of having public provided services, it has to be tied in with cutting back government or reallocating these resources in the Sheriff, Marshall, or Mechanical Departments to other functions in government that need to be served.

Regarding postjudgment and prejudgment interest rates, Mr. Gallas stated that lawyers don't pay the interest the clients do. Also the survey as to the psychology of lawyers is that people can make money faster doesn't necessarily save cases. He recommends the commission accept the report, but after they do, the important part would then be to push on those public agencies the other side of the problem of getting the services to cutback or resources reallocated. Otherwise, we have made a paper savings and actually added cost in making it a better system.

After no further discussion on the report, Mr. Bodle asked for a vote. All were in favor of adopting the report. Mr. Bodle then thanked the guest speakers for coming and offering their comments and support of the report.

Question (Ellner): Could we get copies of the Grand Jury Report?

Answer (Campbell): We receive a copy of the Grand Jury Report that is retained in the Commission's office. He also suggested that we obtain the actual report prepared by the Grand Jury rather than the contract auditor's report as well as the County's reply to it.

Robert Segall, last year Grand Jury Foreman, volunteered to get 21 copies of the report.

A motion was made by Carolyn Ellner, seconded by Jack Drown and carried, to excuse the absent commissioners who had contacted the commission office.

Question (Susan Berk): Some time ago, a position was taken regarding the many absences, are we following through on this?

Answer (John Campbell): The County has a rule in its Administrative Code on attendance at Commission/Committee Meetings. The rule is if a

member misses three consecutive meetings without notice, without excuse, then that member is deemed to have resigned and is replaced by the Board.

On motion of Susan Berk, seconded by Robert Segall and passed, a record will be available each time the commission meets of the number of meetings missed by commissioners.

John Campbell stated that the Summary was done after the report. There are places where the language is a little different than in the report. Where there are discrepancies between the two volumes, the Summary prevails. Because of time pressures, some errors remain in the Summary. They are as follows:

Page 7 - 1st paragraph - itemized list: Add: 4) the Presiding Judge of the Superior Court.

Page 12 - Italic - 4th line down: instead of "court system", it should say "civil case system".

Page 24 - Italic - 2nd line from bottom: the word "administrative" should be changed to "functional".

Page 26 - Italic - Recommendation 11, five lines down: "wage" should be changed to "urge".

Page 27 - Discussion - 2nd paragraph - 4th line down: change "great" to "grant".

The staff was instructed by the chairman to go ahead and prepare final document for printing in a single volume making all necessary corrections.

John Campbell informed commission members that Haig Kehiayan is one of the trustees in the San Fernando Valley Bar Association and he will be disseminating the report in that part of the legal community for response and analysis.

On motion of Susan Berk, seconded by Jack Drown and carried, the commission will request letters of endorsement from individuals, groups, organizations, etc., who support this report and these letters will be included with the report that is sent to the Supervisors.

Robert Segall amended Ms. Berk's motion to send the letters of endorsement to the Supervisors a few days after they have received the report. Amendment was seconded by Thomas Kranz.

Question (Carolyn Ellner): What has been done to acquaint the Supervisors or their deputies with this report? What is planned for the future and when does it go to the Board?

Answer (John Campbell): The day before the Commission meets we present a courtesy copy of the document to each of the Supervisor's office so that they can review it. If they have some comments, they can send someone to the meeting. The Supervisors are aware of the report before it is public information. The report should be formally presented to the

Board perhaps on October 20 or as soon thereafter as feasible.

Wally Thor suggested at our last meeting we summarize this document in a tape recording that the Supervisors could use to review the report at their leisure.

Question (Sweeney): Will we get a professional to narrate on the tape.

Answer (Wally Thor): He would narrate.

Susan Berk offered her assistance in recording this report on tape.

Mr. Bodle emphasized that he did not want the report to go to the Board until we have had a meeting with each of the Supervisors. He instructed each supervisor appointee to arrange a meeting with that supervisor to discuss the report. Assignments are as follows:

Gunther Buerk will arrange meeting with Supervisor Dana.

Dean Sweeney, Jr. and Richard Synder will arrange meeting with Supervisor Antonovich.

Wally Thor will arrange meeting with Supervisor Schabarum.

Milton Gordon was suggested as the appointee to arrange meeting with Supervisor Hahn.

George Bodle and Carolyn Ellner will arrange meeting with Supervisor Edelman.

John Campbell stated that Thomas Kranz had asked for a one-page summary to be prepared. This was done. He informed the members that this one-page summary was attached to the report that was sent to the Supervisors and the press. (A copy of the one-page summary was given to each member.)

On October 15, 1981, Thomas Kranz and George Bodle are on the agenda of the Judicial Procedures Commission for presentation of our commission's report.

#### Productivity Advisory Committee (Susan Berk)

Productivity Advisory Committee will be reported on at the next commission meeting.

#### Inventory Control Task Force (John Campbell for Joe Crail)

We have met with eight or so county officials and we will have a task force meeting soon to get moving on the framework of the study.

George Bodle thanked everyone for coming and adjourned the meeting at 11:45 a.m.

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