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**California Lawmakers Order First Audit of  
State's Judicial Oversight Agency in 56 Years**  
*Request to Audit the Commission on Judicial Performance Was Passed at  
Today's Joint Legislative Audit Committee Hearing*

SAN RAFAEL- In a unanimous vote from the consent calendar, members of the Joint Legislative Audit Committee in the California Legislature passed an historic request this morning to audit the California Commission on Judicial Performance for the first time since it was established in 1961. Since its inception, this small but powerful judicial oversight agency has operated in relative secrecy, until June of this year, when Santa Clara County Judge Aaron Persky's lenient sentencing of Stanford University student rapist Brock Turner created a national outcry that unwittingly thrust the agency into the media spotlight.

"The Center for Public Integrity gave California an 'F grade' on its [2015 report card](#) for judicial accountability, said Kathleen Russell, the executive director of the [Center for Judicial Excellence](#). "California's lack of judicial accountability is renowned, and it weakens the public's trust in its judges," she continued, "so this audit is an important step toward creating a culture of accountability for our state's nearly 2,000 judges."

**Senator Hannah Beth Jackson** (D-Santa Barbara), the chair of the Senate Judiciary Committee, and **Assemblywoman Catharine Baker** (R-San Ramon), an attorney, worked collaboratively to develop a balanced, comprehensive audit request which addresses both the public's concerns about a lack of transparency and extremely low discipline rates, and the judges' due process concerns about Commission investigations. The chair of the Assembly Judiciary Committee, **Assemblyman Mark Stone** (D- Monterey Bay), and the chair of the Accountability & Administrative Review Committee, **Assemblywoman Cristina Garcia** (D- Bell Gardens), also signed on as co-authors of the request.

The audit request received support from the state's powerful Service Employees International Union (SEIU California), the California Partnership to End Domestic Violence (CPEDV) and the Sacramento Chapter of the NAACP, along with more than a dozen court reform and child protection organizations. A number of audit supporters have been working to expose widespread corruption in the family court system that many say has created an epidemic of judicial trafficking of abused children away from their protective parents and into abusive homes during divorces and separations.

The Commission on Judicial Performance was established by constitutional amendment in 1960. Its mandate, as stated by the amendment's authors, Senators Edward J. Regan and Joseph A. Rattigan, is to protect the public against "incompetency, misconduct or nonperformance of duty on the Bench." The Senators intended the CJP to provide "an effective and expeditious method for the removal of a judge who is unable or unwilling to perform his duties." The fact that less than 2% of public complaints result in judicial discipline – and 80% of all discipline is private – shows how far

the agency has strayed from its original mission.

The estimated cost of the audit is \$492,480 and the State Auditor estimates that it will take 4,104 staff hours to complete.

**Recent Audits Related to the California Judicial Branch:**

[2015-030](#) - *State Bar of California: It Has Not Consistently Protected the Public Through Its Attorney Discipline Process and Lacks Accountability* (June 2015)

[2014-107](#) - *Judicial Branch of California: Because of Questionable Fiscal and Operational Decisions, the Judicial Council and the Administrative Office of the Courts Have Not Maximized the Funds Available for the Courts* (January 2015)

“When judges know that their oversight agency is going to take every complaint seriously and be held publicly accountable, that is going to result in less misconduct,” said Joe Sweeney, founder of [Court Reform LLC](#), an advocacy group that has helped pushed for the audit.

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