



THE



GRAND JURORS ASSOCIATION OF ORANGE COUNTY

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10064 Sunn Circle, Fountain Valley CA 92708

February, 2000

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JOIN US FOR LUNCH
Thursday, March 2
at Phoenix Club
1340 So Sanderson Ave, Anaheim

Speaker:
Jan Mittermeier
Orange County CEO
"State of the County"

DECEMBER SPEAKER - THE HONORABLE PAMELA ILES

At our December luncheon, Superior Court Judge Pamela Iles gave an entertaining talk about the issues currently keeping her busy, and in Ms Iles case that's pretty busy indeed (try indefatigable!)

Her bailiwick is South County. There, she continues her pioneering style and writing the book on matters of family law. And with some impressive results:

- Organizing handling of domestic violence cases after an increase of 400% over the past two years: Iles has promoted training of DAs and judges, created "vertical" teams to include sheriff, social workers and shelters, and actively intervenes herself in order to cope with the problem; Founded teacher conferences in South County to focus on domestic violence and child abuse. 750 teachers were trained this year; And created a separate family law (divorce) court.

With these measures in place, Iles has found new *causes célèbres* to tackle:

- Mental Illness: She believes tobacco money would be well-used by establishing a mental health jail program.

- Work furlough: "Better than magnetic bracelet - furloughs give more control, better motivation".

- 14601 Violators - (Driving with a suspended license) Here, Ms Iles is adamant. She has seized many autos being driven away from the courthouse parking lot by subjects whose drivers licenses have just been taken. (Including an 18-wheeler once.)

If that weren't enough, Judge Iles finds time to promote a county railroad museum.



RECRUITMENT

In an effort to make Grand jury service a viable option for a larger portion of the population, Sheldon Singer, 1998/99 Grand Jury foreman and current GJAOC Vice President, is working on a recommendation to raise the compensation to Orange County panel members from the current \$25.00 per day to \$50.00 per day.

Grand Jury compensation today is totally within the purview of the individual county. Sheldon and his committee plan to meet with the appropriate Orange County official and Superior Court Judges to elicit support.

We encourage our members to support this project and to contact their supervisors and express their opinion on this subject.

LEGAL DEFENSE FOR GRAND JURORS

The question of whether or not this county is required to defend Grand Jurors who are sued for statements made during their turn on the jury was submitted to the Attorney General, Dan Lundgren by Assemblyman Bernie Richter. A formal opinion, No. 97-1210 was returned on June 2, 1998. For the record, four pages of analysis of the various pertinent laws, codes and acts produced the following statement:

CONCLUSION

"The county is required to provide indemnification and defense for grand jurors sued for state-

ments made within the scope of their reporting duties that are contained in a final grand jury report."

Please note that this opinion does not provide a juror with a license to "speak his mind". The last nine words restrict the jurors to only statements included in a Final Report.

T.I.C. COMMITTEE

New Director, Bob Geiss, will spearhead the Tracking and Implementation Committee picking up from where past Chairman Dolores Seroy left off. He will gather completed work, perhaps decide upon further studies and file the committee's Report Card with the CEO regarding the handling of recommendations made in the 1997-98 Final Report.

Geiss will put together a team that will begin looking at the 1998-99 final report; establish that all reports were responded to, and begin field investigations into recommendations that were supposed to be implemented. As in the past, Geiss will need volunteers to help in this unique effort.



KEEP LOOKIN' OVER YOUR SHOULDER

Legislation Chairman, Bill Guthrie, is still tracking attempts by state law-makers which would allow defense attorneys to be present in the Grand Jury room during witness questioning.

Legislation proposed last year by Assemblyman Scott Baugh was passed and then vetoed by Governor Gray Davis. However, as we know, these things have a way of changing their complexion and appearing again and again.

Our GJAOC Board of Directors has actively opposed legislation that would weaken the Grand Jury system by writing letters and meeting personally with area legislators.

Our Legislative Committee will also continue to watch proposed legislation AB1796 that would set a minimum per diem compensation for all California County Grand Juries at \$25.00. Although Orange County has paid its 19 members at this rate for some time, many counties are far below this pay-level. Those jurors are paid only on the days they formally meet which may be as little as once a month. As you imagine, these jurors must do lots of work for free!

Your GJAOC Board of Directors has voted to support this bill and will do so when appropriate.

NOTES MISCELLANEOUS

LUNCHEON SPEAKER

Jan Mittermeier, Chief Executive Officer of Orange County, will be our speaker at the next Grand Jurors' luncheon, Thursday, March 2, 2000. The last time she spoke to us was in June 1997.

Jan will update us on "The State of the County."

Does anyone know that one out of every 100 persons in the United States lives in Orange County?

Come to this luncheon program and hear other facts that will amaze you.

ORIENTATION 2000/2001

An orientation meeting for prospective Grand Jury members will be held February 17th at 6:00PM in Department One of the Superior Court in Santa Ana.

This meeting is a requirement for the 168 individuals who met the January 31 application deadline for the next Grand Jury panel.

Former Grand Jury members are encouraged to attend and lend their personal insights, experiences and support.

PARTIAL FREE LUNCH

The price of everything goes up, as we all know (everything but "retirement income" that is). The Phoenix Club is no exception. They have raised their luncheon price to \$16.25 instead of \$15.00.

After investigation of alternative lunch facilities, the Board of Directors has decided to subvert the additional \$1.25 so the cost to our members will remain the same (\$15.00) as will the Phoenix Club location.

JUDICIAL MUSICAL CHAIRS

•The Honorable Kathleen O'Leary, former Orange County Superior Court Presiding Judge, has been appointed to the Court of Appeals. Election of a new Presiding Judge will be held on March 10, 2000.

•The Honorable Judge C. Robert Jameson is serving as the interim Presiding Judge for the Superior Court of Orange County.

•The Honorable Judge Kazuharu Makino of Superior Court Department 5 is the supervising judge for the current Grand Jury.

TREASURERS REPORT

As of February 1, 1999
Checking account balance:
\$8,691.91
Custom Time Deposit:
\$3,001.41
Total Reserves:
\$11,693.32

Elsie Carruthers, Treasurer



John Baird was installed as president at the December meeting.

SMALL CLAIMS MEDIATION

(It ain't Judge Judy, but it works!)

Party A sues Party B for return of a two thousand dollars security deposit on the rental of a condominium. Party B countersues for \$600.00 in the loss of having to rent to a third party at a lesser rate. After two hours of discussion the matter is settled for \$35.00. Both parties acknowledge that the opposing party is a "decent person" and thank the mediator for having brought the matter to a resolution.

An escrow account holds the deposit made by Party B on the purchase of a home. Party A contends that the deposit is his to keep because Party B breached the contract by withdrawing from the purchase. They reach an agreement whereby Party A keeps a thousand and Party B gets \$1700.00 Party A takes the lesser amount because he knows that Party B works very hard for his money.

The above are results of two mediated cases. Both were win-win results with the parties crafting their own solutions. Since April, 1999 West Court in Orange County has implemented a mediation program for small claims cases with many such successful outcomes.

"The purposes of the superior court mediations services program are to ensure access to the justice

system or all individuals, regardless of income, in Orange County and to remove from the court's caseload all those cases that do not require litigation. The specific goals of the West Justice Center Civil Mediation Program are to provide effective, no-cost, resolution of all claims and other civil cases in which the parties are amenable to an agreement reached through collaboration in lieu of a court or jury determination."

The mediation services are provided through the collaborative effort of five agencies: Community Service Programs, Inc. (Irvine); Fair Housing Council of Orange County (Santa Ana); Human Relations Commission of Orange County, (Santa Ana); Institute for Conflict Management, (Santa Ana); and The Mediation Center, (Costa Mesa).

Parties with small claims issues appear as scheduled at the court house. At that time either the bailiff or a mediation representative will explain the process of mediation and encourage parties to consider mediation as an alternative to having the judge decide the matter. Among the benefits to the litigants are that they will find their own solutions as opposed to a directive from the judge, solutions usually give each side something as opposed to a "winner take all" in a judgement, a mediated agreement does not appear on a person's credit rating while a judgment does.

There have been over six hundred cases mediated since April with a success rate of seventy-five percent. The success rate refers to the number of cases that resulted in agreements between the parties. With the success of the program at West Court, the process is being expanded to Harbor Court during the month of February and, hopefully, to North Court in March. Mediators train and volunteer their services through one or another of the agencies listed above. The only drawback is that the training fee is fairly substantial although there are ways the fee can be lessened.

Rose S. Moreno has been volunteering at West Court since November and Bob Klamp was there as an observer on a recent Friday. Please call Rose for more information.

HOW TO ANNOY OTHER PEOPLE

- Leave the copy machine set to reduce 200%, extra dark, 17 inch paper, 99 copies.
- Specify that your drive-through order is "to go".
- Staple papers in the middle of the page.
- Finish all sentences with the words "in accordance with prophecy"
- Decline to be seated in a restaurant, and simply eat their complimentary mints by the cash register.
- Ask people what gender they are.